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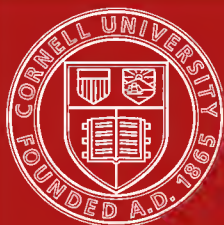
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**Instructions to the diplomatic officers**



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INSTRUCTIONS

TO THE

DIPLOMATIC OFFICERS

OF THE

UNITED STATES

WASHINGTON  
DEPARTMENT OF STATE

1897





EXECUTIVE MANSION,

Washington, January 4, 1897.

*The following revised Instructions are hereby prescribed for the information and government of the diplomatic officers of the United States.*

GROVER CLEVELAND.

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DEPARTMENT OF STATE,

Washington, January 4, 1897.

*I transmit herewith, for your information and government, the accompanying revised Instructions, which have been prescribed by the President.*

*They are intended to supersede those which have been heretofore issued by this Department, and are to be carefully observed in all respects.*

RICHARD OLNEY.

*To the Diplomatic Officers of the United States.*



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## Instructions to Diplomatic Officers.

The following regulations are prescribed for the information and guidance of diplomatic officers in the discharge of their official duties. It is expected that they will be carefully examined before applying to the Department of State for instructions. When, however, after an examination of these Instructions and any others, special or otherwise, which they may have received, diplomatic officers shall find themselves without directions how to act in any case, they should write to the Department of State on the subject.

### RECEIVING INSTRUCTIONS.

#### **I. Papers furnished to the representative.—**

After filing the prescribed oath (see page 155) in the Department of State and receiving his commission, the diplomatic representative will be furnished with the following papers:

(a) A sealed letter of credence signed by the President and addressed to the head of the state to which the representative is sent. In the case of a commissioned chargé d'affaires the letter of

credence will be addressed by the Secretary of State to the minister for foreign affairs.

(b) An open office copy of the letter of credence.

(c) A special passport for himself, his family, and suite.

(d) A copy of the Register of the Department of State.

(e) A letter of credit upon the bankers of the United States in London, whenever he is directed to draw his salary and allowance for contingent expenses from that source. This letter of credit will be in duplicate, and the diplomatic representative will attach his signature to both the original and the duplicate, returning the former to the Department of State and retaining the latter for his personal security and convenience. Diplomatic representatives not receiving their salary and allowance for contingent expenses through the London bankers will be instructed as to the mode of drawing them.

(f) A copy of these Instructions, with any circular instructions modifying them.

(g) A copy of the Consular Regulations and of any circular instructions amendatory thereof on points touching the business of a mission.

**2. General and special instructions.**—The diplomatic representative will also receive such general and special instructions as the Secretary of State may deem it necessary to give him for his



guidance in regard to pending or new subjects of negotiation.

**3. Visit to Washington to receive instructions.**—It is expected that the newly appointed representative will come to Washington to confer with the Secretary of State upon matters connected with his mission, although special circumstances may require or permit this formal visit to be omitted.

**4. Examination of previous correspondence.**—During his visit to Washington to receive instructions a diplomatic representative should familiarize himself, by inspection of the correspondence on file in the Department of State, with the general state of the business of the mission to which he is appointed and the condition of pending questions with the government to which he is accredited.

**5. Notification of intended arrival.**—It is advisable for a diplomatic representative to give informal notice to his predecessor, if the latter be at the post, some time before his expected arrival, in order that any usual courteous exemptions in favor of his personal effects and those of his family and suite may be extended at the frontier custom-house.

**6. Passage through a third country.**—Should a diplomatic representative have occasion to pass through the territory of a third state on the journey to his post, the courtesy of exemption from customs dues may be granted on being requested through

the diplomatic representative of the United States in such third country; but this is a privilege, not a right. (See paragraph 61.)

#### PRESENTATION OF CREDENTIALS.

**7. Preliminaries.**—In most cases, a mission of the United States will be found already established at the seat of government and still in charge of the outgoing representative or of a chargé d'affaires ad interim. In either case, the newly arrived representative should seek, through the actual incumbent of the mission, an informal conference with the minister for foreign affairs, or such other officer of the government to which he is accredited as may be found authorized to act in the premises, and arrange with him for his official reception. He should at the same time, in his own name, address a formal note to the minister for foreign affairs, communicating the fact of his appointment and his rank and requesting the designation of a time and place for presenting his letter of credence.

**8. Office copy of credentials.**—Should the representative be of the grade of ambassador extraordinary and plenipotentiary, envoy extraordinary and minister plenipotentiary, or minister resident—in any of which cases he will bear a letter of credence signed by the President and addressed to the chief of the government—he should, on asking audience

for the purpose of presenting the original in person, communicate to the minister for foreign affairs the open office copy which accompanies his original instructions. He will also, for the completion of the archives of his mission, prepare and retain on file a copy of his letter of credence.

**9. Of a chargé d'affaires.**—If the diplomatic representative be of the rank of chargé d'affaires, bearing a letter of credence addressed to the minister for foreign affairs, he should, on addressing to the minister the formal note prescribed in paragraph 7, communicate to him the office copy of his letter of credence and await the minister's pleasure as to receiving the original in a personal interview.

**10. Ceremonial address.**—On the occasion of presenting ceremonial letters of credence or of recall to the head of the government, it is usual at most capitals for the retiring or incoming diplomatic representative to make a brief address pertinent to the occasion. This address should be written and spoken in English by the representative of the United States. Before the day fixed for his audience of reception or of leave-taking, the diplomatic representative should furnish to the minister for foreign affairs a copy of his proposed remarks, in order that a suitable reply thereto may be prepared. A copy of the address and of the reply must be sent to the Department of State.

**11. Predecessor's audience of leave-taking.—**

When the retiring representative is, like his successor, of the grade of ambassador extraordinary and plenipotentiary, envoy extraordinary and minister plenipotentiary, or minister resident, it is customary for him to present his letter of recall in the same audience in which his successor presents his letter of credence, unless for some sufficient cause he should be obliged to take formal leave and present his letter of recall before the presentation of his successor.

**12. Presentation of letters of recall.—**It sometimes happens that the retiring diplomatic representative does not receive his letter of recall from the Department of State in season to present it in person before his departure. In such cases his successor, or, if need be (after receiving special instructions to that effect), the chargé d'affaires ad interim, when there is one, will deliver the letter of recall in such manner as may be indicated to him by the minister for foreign affairs.

**13. Conformity to ceremonial usage.—**In the ceremonies on all formal occasions the diplomatic representative will be governed by the established usage of the country of his official residence. There is usually at foreign courts an officer having charge of such ceremonial matters, and it is advisable to confer with him informally, in order to insure ap-

propriate conformity to established rules. In the absence of such an official, he should confer with the dean of the diplomatic corps.

**14. Diplomatic visits.**—There is also in each country an established rule as to official calls. The diplomatic representative should, immediately upon his arrival, inform himself upon this subject and conform strictly to the rule.

**15. Accompanied by secretary.**—If the mission be provided with one or more secretaries, the newly arrived diplomatic representative should be accompanied by them in the official ceremony of presenting his letter of credence and in his subsequent official visits to his colleagues.

**16. Relations with colleagues.**—A diplomatic representative should omit no occasion to maintain the most friendly personal and social relations with the members of the government and of the diplomatic corps at the place of his residence.

**17. Official duties begin.**—The official duties of a diplomatic representative begin on the day of his formal reception by the chief of the state to which he is accredited or by the minister for foreign affairs, in the case of a chargé d'affaires. It may, however, happen that the formal audience of reception is delayed, in which case the minister for foreign affairs may arrange for the transaction of diplomatic business with the new representative pending such

reception. In that event, the official duties of the representative begin immediately.

#### CHARACTER AND RELATIVE RANK.

**18. Rules of Congress of Vienna.**—For the sake of convenience and uniformity in determining the relative rank and precedence of diplomatic representatives, the Department of State has adopted and prescribed the seven rules of the Congress of Vienna, found in the protocol of the session of March 9, 1815, and the supplementary or eighth rule of the Congress of Aix la Chapelle of November 21, 1818. They are as follows:

“In order to prevent the inconveniences which have frequently occurred, and which might again arise, from claims of precedence among different diplomatic agents, the plenipotentiaries of the powers who signed the Treaty of Paris have agreed on the following articles, and they think it their duty to invite the plenipotentiaries of other crowned heads to adopt the same regulations:

“ARTICLE I. Diplomatic agents are divided into three classes: that of ambassadors, legates, or nuncios; that of envoys, ministers, or other persons accredited to sovereigns; that of *chargés d'affaires* accredited to ministers for foreign affairs.

“ART. II. Ambassadors, legates, or nuncios only have the representative character,

“ART. III. Diplomatic agents on an extraordinary mission have not, on that account, any superiority of rank.

“ART. IV. Diplomatic agents shall take precedence in their respective classes according to the date of the official notification of their arrival. The present regulation shall not cause any innovation with regard to the representative of the Pope.

“ART. V. A uniform mode shall be determined in each state for the reception of diplomatic agents of each class.

“ART. VI. Relations of consanguinity or of family alliance between courts confer no precedence on their diplomatic agents. The same rule also applies to political alliances.

“ART. VII. In acts or treaties between several powers which grant alternate precedence, the order which is to be observed in the signatures shall be decided by lot between the ministers.

“ART. VIII. It is agreed that ministers resident accredited to them shall form, with respect to their precedence, an intermediate class between ministers of the second class and *chargés d'affaires*.”

**19. Grade of diplomatic representatives.**—The diplomatic representatives of the United States are of the first, the second, the intermediate, and the third classes, as follows:

(a) Ambassadors extraordinary and plenipotentiary.

(b) Envoys extraordinary and ministers plenipotentiary and special commissioners, when styled as having the rank of envoy extraordinary and minister plenipotentiary.

(c) Ministers resident.

These grades of representatives are accredited by the President.

(d) *Chargés d'affaires* commissioned by the President as such and accredited by the Secretary of State to the minister for foreign affairs of the government to which they are sent.

In the absence of the head of the mission the secretary acts *ex officio* as *chargé d'affaires ad interim* and needs no special letter of credence. In the absence, however, of a secretary and second secretary, the Secretary of State may designate any competent person to act *ad interim*, in which case he is specifically accredited by letter to the minister for foreign affairs.

**20. Superadded consular office.**—When the office of consul-general is added to that of envoy extraordinary and minister plenipotentiary, minister resident, *chargé d'affaires*, or secretary of legation, the diplomatic rank is regarded as superior to and independent of the consular rank. The officer will follow the Consular Regulations in regard to his consular duties and official accounts, keeping correspondence in one capacity separate from correspondence in the other.



**21. Superadded consular rank separable in certain contingencies.**—In the possible case of objection, by the government of the country of residence, to a diplomatic officer who is also a consular officer performing the functions of both offices, the vice-consul-general or vice-consul, if there be one, may be put in charge of the business of the consulate-general or consulate.—*R. S., sec. 1738.*

**22. Chargés d'affaires ad interim.**—A secretary of embassy or legation will, in case of the absence, death, or disability of the diplomatic representative, assume the duties and perform the functions of chargé d'affaires ad interim without special instructions or credentials to that end; he will then follow the regulations herein prescribed.

**23. Subordinate consular officers.**—A vice-consul-general or vice-consul at a post where his superior officer holds the dual positions of minister or secretary of legation and consul-general has no diplomatic quality or functions whatever.

**24. Not to act as chargé d'affaires.**—In no case will a consular officer not also a secretary of legation act as chargé d'affaires ad interim in the absence of the diplomatic representative without express direction of the Department of State; and this, when given, will be accompanied by a letter accrediting him to the minister for foreign affairs.—*R. S., sec. 1738.*

**25. May take custody of archives.**—A consular officer may, without express authorization, be left in charge of the archives and property of a mission; but this circumstance gives him no right to perform official diplomatic duties or to expect other than his consular compensation.

**SECRETARIES OF EMBASSY AND LEGATION.**

**26. General duties.**—The general duties and obligations of a secretary of embassy or legation are, from their nature, scarcely susceptible of a minute definition, and must therefore, in a great measure, be determined by circumstances or prescribed by the head of the mission.

**27. Reticence.**—Upon all occasions the secretary must be particularly on his guard against talking to others of the affairs of the mission or disclosing to them, directly or indirectly, anything connected with its affairs.

**28. Clerical duties.**—It is the duty of the secretary to transcribe and dispatch the official letters or communications of the head of the mission, to whomsoever addressed, as well as all dispatches and communications to his own Government and that to which he is accredited; to make and send duplicate copies of them when necessary or required; and to record all such dispatches and communications in suitable books, to be carefully preserved with the

archives of the mission, as forming an essential and important portion of those archives.

**29. Care and custody of archives.**—The proper classification, indexing, and custody of the originals of all dispatches, notes, and official communications touching the affairs of the mission will also be under the secretary's immediate control; subject, of course, to the supervision and directions of the head of the mission.

**30. Office hours.**—It will be the secretary's duty habitually to attend, during the usual hours of business, at the office of the mission, as well for the purpose of executing the duties above prescribed as for that of answering any official applications of his fellow-citizens or others. As the records, books, archives, seal, and cipher of the mission are always supposed to be under the immediate care and superintendence of the secretary, all due care and method will be expected on his part in the arrangement and preservation of them.

**31. Subordination.**—As long as the head of the mission is present, the secretary is not recognized by any foreign government as being authorized to perform a single official act other than as directed by the head of the mission; and it follows, as a necessary consequence, that in his official conduct he is under the direction, and subordinate to the control, of his immediate superior.

**32. Chargé d'affaires ad interim.**—If at any time, from circumstances or accident, the place of diplomatic representative should become vacant, it will be the duty of the secretary, in the absence of other provision on the part of this Government upon the subject, to retain charge of the seal, cipher, records, books, and archives of the mission, and to take upon himself the discharge of its ordinary functions as chargé d'affaires ad interim of the United States until the vacancy be otherwise supplied. In the event of the absence of the head of the mission from his post by permission of the Department of State, the duties of chargé d'affaires ad interim will in like manner devolve upon the secretary; and in such case he will be duly presented, in person or by note, by the head of the mission to the minister for foreign affairs as the officer in charge of the mission.

**33. Notarial services.**—The existing statute authorizes secretaries of embassy or legation to administer oaths, take depositions, and generally to perform notarial acts (*R. S., sec. 1750*). This statute is not construed by the Department of State as mandatory on a secretary of embassy or legation. He is at liberty to act or to refuse to act, but it is thought that he will feel it his duty to accommodate persons desiring his services in a notarial capacity. When so acting, he is entirely outside of his official

duties ; and his compensation, if he receives any, will belong to him personally.

**34. Seal.**—Should a seal be required, the secretary will use that of the embassy or legation. Where there is a consular officer of the United States at the seat of the mission, it is preferred that duties of this character be performed by him.

#### SECOND SECRETARIES.

**35. Duties.**—The duties of a second secretary of embassy or legation are, in general, similar to those of a secretary, whom he assists in the performance of the work of the mission as herein prescribed. In doing so, the wishes and directions of the head of the mission will govern the distribution of their joint duties.

**36. Chargé d'affaires ad interim.**—A second secretary of embassy or legation does not act as chargé d'affaires ad interim, except in the event of the absence, death, or disability of both the head of the mission and the secretary. Should the case arise, he needs no formal letter of credence from the Secretary of State to the minister for foreign affairs, but acts ad interim in virtue of his rank as a secretary of embassy or legation. His compensation in such a contingency will be as prescribed in the case of the principal secretary of the mission (see paragraph 309).

**ATTACHÉS.**

**37. Attachés.**—The law prohibits the appointment of any “attaché” or of any secretary of embassy or legation otherwise than as provided by statute (*R. S., sec. 1674, paragraph 5*). No such appointment, therefore, shall be made by any diplomatic representative of the United States; and, should it come to the knowledge of a diplomatic representative that any person is representing himself as an “attaché” or styling himself a secretary of the mission without warrant, it will be his duty to report the fact to the Department of State and to informally make it known to the government to which he is accredited.

**NAVAL AND MILITARY ATTACHÉS.**

**38. How designated.**—Naval or military attachés may be assigned by the Department of State from the Navy or Army, to reside at the seat of the mission, when the public interests demand it.

**39. Duties.**—Though the duties of naval and military attachés are in no sense under the control or direction of the ambassador or minister, yet it is not doubted that any assistance desired by either, owing to the professional knowledge that such attaché possesses, will be freely and cheerfully accorded.

**40. Relations with heads of missions.**—Naval and military attachés, although commissioned by the Secretary of State, are designated by the chiefs of their respective Departments and become their exclusive agents in all professional matters connected with their official duties. Each is instructed directly by his Department, and each in turn answers in the same way.

**41. Ceremonial representation.**—In ceremonial representations naval and military attachés form a part of the official staff of a mission.

**42. Precedence.**—Naval and military officers of the United States holding rank above that of captain in the Navy or colonel in the Army who may be attached to missions have place and precedence next in succession to the head of the mission for the time being, whatever his designation. Naval and military officers of the United States holding rank as captain in the Navy or colonel in the Army, or rank of a lower order, who may be attached to missions have place and precedence next in succession to the first secretary of embassy or legation.

#### CLERKS.

**43. Not diplomatic officers.**—A clerk is an employee of the diplomatic representative. He has no official rank or position and no immunities or privileges except as a member of the representa-

tive's household. He is not to be styled secretary, attaché, chancellor, or to be known by any other diplomatic title.

**44. No extra compensation as custodian of archives.**—Temporary custody of the archives and property of a mission gives a clerk no claim to extra compensation.

**45. Unofficial good offices of clerks.**—Though a clerk or consul left in charge of the archives and property of a mission is prohibited from performing unauthorized diplomatic functions, some special emergency may make it appropriate for him to communicate with the diplomatic authorities of the country for the protection of American interests; but in so doing he will disclaim any pretension or power to act otherwise than unofficially. All such cases should be immediately reported by him to the Department of State.

#### DIPLOMATIC IMMUNITIES AND PRIVILEGES.

**46. Immunity from arrest and process.**—A diplomatic representative possesses immunity from the criminal and civil jurisdiction of the country of his sojourn and can not be sued, arrested, or punished by the law of that country (*R. S.*, *secs.* 4063, 4064). Neither can he waive his privilege, except by the consent of his government; for it belongs to his office, not to himself. It is not to be supposed



that any representative of this country would intentionally avail himself of this right to evade just obligations.

**47. Property not exempt from process.**—If a diplomatic representative holds, in a foreign country, real or personal property aside from that which pertains to him as a minister, it is subject to the local laws.

**48. Exemption from testifying.**—A diplomatic representative can not be compelled to testify, in the country of his sojourn, before any tribunal whatsoever. This right is regarded as appertaining to his office, not to his person, and is one of which he can not divest himself except by the consent of his government. Therefore, even if a diplomatic representative of the United States be called upon to give testimony under circumstances which do not concern the business of his mission, and which are of a nature to counsel him to respond in the interest of justice, he should not do so without the consent of the President, obtained through the Secretary of State, which in any such case would probably be granted.

**49. Inviolability of domicile.**—Immunity from local jurisdiction extends to a diplomatic representative's dwelling house and goods and the archives of the mission. These can not be entered, searched, or detained under process of local law or by the local authorities.

**50. Asylum.**—The privilege of immunity from local jurisdiction does not embrace the right of asylum for persons outside of a representative's diplomatic or personal household.

**51. Unsanctioned asylum.**—In some countries, where frequent insurrections occur and consequent instability of government exists, the practice of extraterritorial asylum has become so firmly established that it is often invoked by unsuccessful insurgents and is practically recognized by the local government, to the extent even of respecting the premises of a consulate in which such fugitives may take refuge. This Government does not sanction the usage and enjoins upon its representatives in such countries the avoidance of all pretexts for its exercise. While indisposed to direct its representatives to deny temporary shelter to any person whose life may be threatened by mob violence, it deems it proper to instruct them that it will not countenance them in any attempt knowingly to harbor offenders against the laws from the pursuit of the legitimate agents of justice.

**52. Immunities of secretaries.**—A secretary of a mission is, according to the admitted principles of international law, a "public minister." His personal privileges, immunities, domiciliary privileges, and exemptions are generally those of the diplomatic representative of whose official household he forms a part.

**53. The diplomatic representative's household.**—The personal immunity of a diplomatic representative extends to his household, and especially to his secretaries (*R. S., secs. 4063, 4064*). Generally, his servants share therein; but this does not always apply when they are citizens or subjects of the country of his sojourn.—*R. S., sec. 4065*.

**54. Exemption from military service.**—Cases have arisen where a diplomatic representative has claimed for a native servant exemption from military service. His right to do so is not clear, and in future the diplomatic representatives of the United States are advised against questioning the right of the native government to claim such service from one of its subjects in his employ. It is to be expected that the claim, if made, will be presented courteously to the head of the mission.

**55. List of household to be furnished.**—It is customary for a diplomatic representative to furnish to the local government a list of the members of his household, including his hired servants, with a statement of the age and nationality of each. When this is requested, it should always be given.

**56. Extraterritoriality.**—In most Mohammedan and oriental countries the rights and immunities of extraterritoriality have been secured by treaty to foreign representatives, including to some extent consular officers. Among the rights of extraterri-

toriality is that of criminal and civil jurisdiction, which will be specially treated under its appropriate heading (see paragraphs 200–240).

**57. Bearers of dispatches.**—Couriers and bearers of dispatches employed by a diplomatic representative in the service of his government are privileged persons, as far as is necessary for their particular service, whether in the state to which the representative is accredited or in the territories of a third state with which the government they serve is at peace.

**58. Importations free of duty.**—It is a common usage of international intercourse that to a diplomatic representative shall be conceded the privilege of importation of effects for his personal or official use, or for the use of his immediate family, without payment of customs duties thereon. The application of this privilege varies in different countries, but as a rule is restricted to the head of the mission. It is the duty of the representative to acquaint himself with the formalities and limitations prescribed in such case by the local law or regulations and to conform therewith. The privilege is one of usage and tradition, rather than an inherent right, and is one which the Government of the United States gives to the foreign representatives it receives.

**59. Reciprocity of free importation.**—Where a diplomatic representative has ground to believe

that reciprocal courtesy is limited or denied to him abroad, he should refrain from questioning the local rule on the subject, but await such instructions as the Department of State may give him after receiving full information as to the circumstances.

**60. Importations by a chargé d'affaires ad interim.**—In most countries the privilege of importation is accorded to a chargé d'affaires ad interim. Where the exception exists, the fact should not be made the occasion of remonstrance or argument with the local government without the express directions of the Department of State.

**61. Transit through a third country.**—Transit free of customs dues is usually conceded by a third state through whose territories a diplomatic representative passes on his way to or from his post. His status, however, while in the third country lacks the extraterritorial element of immunity belonging to him in the country to which he is accredited. (See paragraph 6.)

#### RESIDENCE AND BUSINESS OFFICES.

**62. Offices.**—The Department of State prescribes no fixed rule as to the offices for the transaction of the business of a mission. The general custom is to set apart convenient rooms in the representative's private residence, to be used wholly for the business of the mission and for its archives

and property. This custom, however, occasionally causes inconvenience and frequently prevents permanence of residence. Considerateness should prevent the incumbent from entering into engagements in this respect which may be inconvenient to his successor, though suited to his own means.

**63. Office separate from residence.**—In several instances, where the business of the mission and the bulk and value of the archives and property have so counseled a diplomatic representative, he has established the offices in separate premises, wholly devoted to official purposes. In these cases, where the moderate rental, the convenience of the arrangement, and the comparative permanence of location which it insures have appeared advantageous to the Department of State, the change has been approved. A diplomatic representative should in no case make any arrangement involving an increase of the amount of rent allotted to his mission or remove the offices from separate and permanent quarters to his own residence without first reporting all the facts to the Department of State for its approval.

**64. Coat of arms and flag.**—A mission is not under the same necessity of displaying a coat of arms and raising a flag as a consulate; but it is in most capitals customary to place an official shield above the principal entrance of the diplomatic representative's residence, or the offices of the mission,

when these are separate from his residence, with a short flagstaff set above the shield, on which to display the flag of the United States on occasions of special ceremony.

**SUNDRY PROHIBITIONS AND RESTRICTIONS.**

**65. Reticence.**—One of the essential qualifications of a diplomatic representative is to observe at all times a proper reserve in regard to the affairs of his government, and the knowledge of these affairs possessed by persons belonging to the mission must be regarded as confidential.

**66. Uniform.**—Officers of the several grades in the diplomatic service of the United States are hereby instructed to conform to the requirements of law prohibiting them from wearing any uniform or official costume not previously authorized by Congress.—*R. S., sec. 1688.*

**67. Military title and uniform.**—The statute authorizes all officers who have served during the rebellion as volunteers in the Army of the United States and have been honorably mustered out of the volunteer service to bear the official title and, upon occasions of ceremony, to wear the uniform of the highest grade they have held by brevet or other commissions in the volunteer service (*R. S., sec. 1226*). In all other cases diplomatic officers are permitted to wear upon occasions of ceremony

the dress which local usage prescribes as appropriate to the hour and place. At some capitals a court dress is prescribed by custom.

**68. Correspondence on public affairs.**—The attention of diplomatic officers is especially called to the provision of law (*R. S., sec. 1751*) by which they are forbidden to correspond with any newspaper or other periodical, or with any person other than the proper officers of the United States, in regard to the public affairs of any foreign government. Nor are they to correspond with them in regard to any matter which may be a subject of official correspondence or discussion with the government to which they are accredited. It is forbidden to diplomatic officers to participate in any manner in the political concerns of the country of their residence; and they are directed especially to refrain from public expressions of opinion upon local political or other questions arising within their jurisdiction.

**69. Speech making.**—It is deemed advisable to extend a similar prohibition against public addresses, unless upon exceptional festal occasions, in the country of official residence. Even upon such occasions any reference to political issues, pending in the United States or elsewhere, should be carefully avoided.

**70. Recommendation for office.**—The statute forbids diplomatic and consular officers from recom-



mending any person at home or abroad for any employment of trust or profit under the governments to which they are accredited (*R. S., sec. 1751*): This prohibition against recommendation for office is hereby extended to offices under the United States; it does not, however, prevent a diplomatic representative from recommending any person whom he may deem suitable and competent to fill a subordinate office in or under his own mission.

**71. Presents and testimonials.**—Diplomatic officers are forbidden from asking or accepting from any foreign government, for themselves or other persons, any present, emolument, pecuniary favor, office, or title of any kind (*Const., Art. I, sec. 9, cl. 8; R. S., sec. 1751*). It not infrequently happens that diplomatic officers are tendered presents, orders, or other testimonials in acknowledgment of services rendered to foreign states or their subjects. These can not be accepted without previous authority of Congress.

**72. Testimonials to be discouraged.**—It is thought more consonant with the character of the diplomatic representation of the United States abroad that every offer of such presents should be respectfully, but decisively, declined. This having been for several years a standing instruction to all officers of the United States abroad, the rule is probably so well known as to prevent the offer of such

presents in future; but it is deemed proper to call the attention of officers to the subject and to observe that, should there be reason to anticipate such an offer, informal notice, given in the proper quarter, of the prohibition against accepting a direct tender thereof would avoid the apparent ungraciousness of declining a courtesy.

**CORRESPONDENCE WITH THE DEPARTMENT OF  
STATE.**

**73. Size of dispatches.**—It has been found convenient, in the transaction of business in the Department of State, to have the official communications from missions abroad bound in volumes. To insure uniformity in this respect, all dispatches and their accompaniments should be written on paper of the same dimensions, viz, thirteen and one-fourth inches long and eight and one-fourth inches broad.

**74. Margin.**—For the convenience of binding, a margin of at least one and one-half inches should be left along the inner side of the page and a convenient space should border the text at top and bottom. In no case should any dispatch or copied inclosure be so transcribed that the writing extends to the inner edge or back fold of the sheet.

The written instructions from the Department of State exhibit an example of the kind of paper referred to and the mode of preparing the dispatches.

Dispatch paper of the prescribed form will be supplied by the Department upon request.

**75. One subject.**—One subject only should be treated in each dispatch.

**76. Numbering.**—All dispatches must be numbered consecutively, beginning with the acceptance of the office and continuing during the term of the incumbent. A secretary of embassy or legation acting as *chargé d'affaires ad interim* will continue the series of numbers of the principal or of the late representative. This series will, in the case of a vacancy, be continued until the entry of a successor upon his duties. A new series should not be begun with the new year, and the series of numbers of dispatches to the Department of State must be kept separate from any other numbered series of communications.

Such dispatches as fall under the following heads should not be numbered:

- (a) Forwarding quarterly accounts and returns.
- (b) Transmitting advice of drafts.
- (c) Requisitions for stationery and other supplies:
- (d) Acknowledging receipt of such supplies.
- (e) Acknowledging receipt of circulars.
- (f) Forwarding reports called for by circulars and, in general, all reports which are not called for by numbered instructions.

(g) Acknowledging receipt of monthly Consular Reports.

All quarterly accounts and returns should be transmitted under the cover of one dispatch when practicable.

**77. Register.**—For the purpose of insuring regularity in the numbering of dispatches, a register shall be kept, in which the numbers and dates, with an indication of subjects, should be instantly entered.

**78. Diplomatic and consular series.**—When a diplomatic representative is also a consul-general, his correspondence with the Department of State should be in two distinct series, one diplomatic and the other consular, each to be numbered in its own sequence. In the diplomatic series (which should be marked “Diplomatic” immediately after the number) the date should be written “Legation of the United States at ——;” in the consular series (which should similarly be noted as “Consular”) the date should be “Consulate-General of the United States at ——.”

**79. Diplomatic and consular subjects.**—Care should be taken to discriminate correctly between the subjects proper to be treated of in the “diplomatic” series and those of the “consular” series. No precise rule applicable to all cases can be given. Naturally, all political dispatches, reports of interviews, negotiations, questions concerning protection

of citizens, etc., are diplomatic; while accounts, Treasury returns, matters touching relief and discharge of seamen, and like subjects, specifically treated of in the Consular Regulations as pertaining to the business of a consulate, are consular.

**80. Form of dispatch.**—The text proper of all dispatches to the Department of State should begin upon the third page of the sheet and be written on every page thereafter until the signature is reached. When the dispatch is typewritten, however, it should be on alternate pages.

A pro forma dispatch is annexed to these Instructions (see pages 170–175).

**81. “Jacket.”**—The first page serves as a cover, or “jacket,” for convenience of reference and filing. On the second line of the first or jacket page should appear the serial number of the dispatch and the station of the mission; on the third line the date of the dispatch; on the fifth line the name of the diplomatic representative and of the Secretary of State to whom the dispatch is addressed; on the seventh line the general subject of the dispatch (which may often be comprehended in a single catchword); and on the subsequent lines of the first page (and following page if necessary) a synopsis of the contents.

**82. Pages to be numbered.**—The pages of the dispatch proper should be consecutively numbered.

**83. Inclosures.**—In transmitting inclosures in dispatches, the contents of the inclosures should be briefly stated in the body of the dispatch, and attention should be directed to such points contained in them as may appear to be particularly deserving of notice. In each case, following the signature, the officer should subjoin a “list of inclosures,” showing the names of the persons by and to whom the inclosures are written and the subject.

**84. References to inclosures.**—Whenever a dispatch mentions that a paper is inclosed, an oblique line should be made in the margin opposite the mention (thus:  $\diagup$ ), and above such line should be placed the number corresponding to the number of the inclosure. All inclosures should be indorsed and numbered.

**85. Newspaper extracts.**—All extracts from newspapers sent as inclosures must be in duplicate, neatly cut out and pasted upon paper corresponding in size to the dispatch.

**86. Tabular statements.**—Tabular statements accompanying dispatches must in all cases be accurately added up.

**87. Copies of printed matter.**—When pamphlets or brief publications of any kind are of such interest or importance that they are forwarded to the Department of State, either as accompaniments to

dispatches or separately, it is desirable that several copies (not less than three) be transmitted.

**88. Series of inclosures.**—Each series of inclosures should be numbered anew in each dispatch, commencing with No. 1; and when there are more inclosures than one in a dispatch, each inclosure should be numbered in the order in which it is to be read.

**89. Translations.**—Should the correspondence transmitted as inclosures be in any foreign language, exact copies of the originals must be forwarded, accompanied by translations. In the case of vouchers for expenditures, the translation must be attached to each voucher. It is especially desired that diplomatic representatives use every endeavor to insure fidelity in the translation of foreign correspondence. A diplomatic representative should in no case accept without examination translations made for him by subordinates or casual employees, who may often lack a competent knowledge of English composition.

**90. Indorsements.**—The numbers and indorsements, especially on all accounts and returns, should show briefly but clearly what the inclosures are and should correspond to the description required in the "list of inclosures" prescribed in paragraph 83. The vouchers of an account should not be set out in the "list of inclosures," but the account only.

**91. Copies as inclosures.**—In transmitting copies of correspondence with dispatches, diplomatic representatives should use half sheets of paper in all cases where they will suffice to contain the text of the note to be copied. In making copies of correspondence, the blank space on a page at the end of one communication should not be used to begin another. The copy of each communication should be on its own sheet or, if brief, on its own half sheet. Copies should not be made on alternate pages, except when typewritten.

**92. References.**—When writing upon any subject already treated, reference to the previous dispatches of the diplomatic representative or the instructions of the Department of State on the subject, both by number and date, must be made.

**93. Reference to local matters.**—In dispatches upon local political or other questions diplomatic representatives will confine themselves to the communication of important or interesting public events as they occur, avoiding all harsh or unnecessary reflections upon the character or conduct of individuals or governments. It is at the same time no less their duty to report freely and seasonably to their own Government all important facts which may come to their knowledge touching the political condition of the country, and particularly its foreign relations, especially if their communications can be



made to subserve or may affect the interests and well-being of their own country. Should the representative deem his observations of a character requiring to be treated with reserve, he should draw the attention of the Department of State to such passages, as hereinafter directed (paragraph 109).

**CORRESPONDENCE WITH THE FOREIGN GOVERNMENT.**

**94. Language to be employed.**—In his formal written communications to the government to which he is accredited the diplomatic representative will employ the English language.

**95. Translations into foreign languages.**—In countries of the East the English communications of diplomatic representatives to the local governments are generally expected to be accompanied by translations into the language of the country, made by the dragoman, or interpreter, of the mission; but the English text should never be omitted.

In European and American countries urgent need of hastening a negotiation may sometimes require that a translation accompany a note; but recourse to such an expedient should be unusual and occur only when there is reasonable certainty that the translation will be faithful and correct in style.

**96. English text the standard of reference.**—In any event, the English text should alone be re-

sorted to in ascertainment of the precise intention of the diplomatic representative, should there be question on this point.

**97. Documents in two languages.**—In protocols of conferences, memoranda of interviews, and the like, drawn up in a foreign language, it is advisable that the equivalent English version appear in parallel text, following in this respect the general usage in regard to formal treaties and conventions. This is especially desirable when the paper is to be signed by the two parties.

**98. Copies to Department.**—The Department of State must be furnished without delay with exact copies and, if in a foreign language, translations of all correspondence with the government to which a diplomatic representative is accredited. All his conversations with officers of that government having any material bearing on its relations with the United States should be particularly noted as soon after the conversations as possible, and a copy of these minutes, or the substance thereof, promptly transmitted to the Department of State. Copies of all important official correspondence with consuls or others should in like manner be transmitted. The originals of all correspondence must be retained on the files of the mission.

**99. Cipher.**—The use of a cipher in cases where secrecy is important to the public interest is enjoined.

It is expected that a diplomatic officer intrusted with the cipher will thoroughly familiarize himself with its employment, in order that, when occasion arises, it may be accurately used. The cipher should be kept under lock and key, as the officer will be held personally responsible for its safety and secrecy.

GENERAL RULES AS TO CORRESPONDENCE.

**100. Telegraph.**—The use of the telegraph at the expense of the Government is not permitted in the ordinary business of a mission or in communicating with the Department of State, except when justified by the importance and urgency of the case or under instructions from the Department. (See paragraph 334.)

**101. General duties.**—Among the most important general duties of a diplomatic representative of the United States is that of transmitting to his own Government accurate information concerning the policy and views of that to which he is accredited in its relations with other powers. To gain this information requires steady and impartial observation, a free though cautious correspondence with other representatives of the United States abroad, and friendly social relations with the members of the diplomatic corps at the place of his residence.

**102. Information for Department.**—In their regular correspondence with the Department of

State, diplomatic representatives of the United States will transmit at an early date copies of all official reports and such information as they may be able to procure relating to the government, finances, commerce, arts, sciences, agriculture, manufactures, mining, tariffs, taxation, population, laws, judicial statistics, and to the condition of the countries where they reside as may be useful. In dispatches communicating such information, however, political affairs should not be referred to, but should be reserved for separate communications.

**103. Books to be sent to Department.**—Books of travel, history, and all such as relate to matters of political importance, maps published by authority of the state or distinguished by extraordinary importance, and new publications relating to useful discoveries and inventions will always be acceptable acquisitions to the Department of State. Expenditures for such purposes should in all cases form a separate charge against the Department; but none should be incurred without its previous express direction, unless in a case of absolute necessity.

**104. Correspondence with other Departments.**—With the exception of the correspondence with the Treasury Department respecting accounts and such other correspondence as special provisions of law or instructions of the Department of State

may require, no correspondence will be held by diplomatic representatives of this Government with any Department other than the Department of State. This injunction is especially applicable to communications to or from subordinates of other Departments. This rule is, however, not intended to prohibit a diplomatic representative from answering any reasonable inquiry of an officer of another Department unless the inquiry shall have been referred to the Department of State. He may, if circumstances permit, answer such inquiries without awaiting special instructions. In so doing he should invariably send his reply, unsealed and accompanied by a copy for the files, to the Secretary of State, who will decide whether, and how, it shall be forwarded to the person addressed.

**105. Drafts of correspondence.**—Drafts of correspondence sent out should not be allowed to accumulate, but should be destroyed as soon as accurately transcribed in the proper record books.

**106. No copies of correspondence to be retained.**—It is the particular desire of the Department of State that no diplomatic officer should retain or carry away with him drafts or copies of his official correspondence. Obedience to this request is enjoined, inasmuch as it has sometimes hap-

pened—and may at any time happen—that on the death of the possessor of such copies they pass into the hands of others not so scrupulously observant of their confidential character.

**107. Unauthorized publication.**—Under no circumstances should any public or official paper be published without the express consent of the Department of State.

**108. Private correspondence with the Department discouraged.**—Recourse to private letters to the Secretary of State or to officers of the Department of State on topics relating to the official business of the mission is disapproved of. It is considered best that all communications of diplomatic officers to the Department of State should be in the form of regular dispatches.

**109. Confidential communications.**—Where the whole dispatch appears to the writer to be necessarily of a reserved or secret character, it should be conspicuously marked “Confidential.” Where one or more paragraphs of a dispatch seem to require any precaution against undue publicity, a red line may be drawn to mark them and the word “Confidential” plainly written in the margin. The Secretary of State, however, reserves the ultimate right to decide whether the suggested reserve is necessary in the public interest. (See paragraph 93.)

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RECORD BOOKS.

**110. Record books to be kept.**—The following record books shall be kept at all missions of the United States:

(a) A dispatch book, into which are to be copied all official communications written by the diplomatic representative to the Department of State. Press-copy books are not to be considered as permanent records.

(b) A note book, into which are to be copied all official communications written by the diplomatic representative to the government to which he is accredited.

(c) A letter book, into which are to be copied all other official communications written by the diplomatic representative. This book should contain the record of his letters to the consular officers within his jurisdiction.

(d) A passport book, in which are to be registered all passports issued or visaed by the diplomatic representative. (See page 161.)

(e) A miscellaneous record book, for the entry of those official papers and records which can not conveniently be classified and entered in the record books above named; and in this book should be included also copies of such translations of official papers as the diplomatic representative may

forward with his dispatches to the Department of State.

(*f*) A register of official letters received, which shall embrace the following information: Name of writer, number and date of letter, when received, its import, and remarks thereon, as prescribed in the form hereto appended (see page 158).

(*g*) A register of official letters sent, stating the date and import of each letter and the name of the person to whom sent, as prescribed in the form hereto appended (see page 158).

(*h*) A quarterly account-current book, in which shall be recorded the accounts of the diplomatic agent and the mission accounts for contingent expenses.

**III. Indexing records.**—When a paper of any description is entered or recorded in either of the said books, it must be indexed by a reference both to the name of the author and the subject of the paper.

**II2. Papers to be labeled.**—Instructions from the Department of State and all official or business notes to the mission intended to be permanently kept there shall be indorsed with a short note of the contents and filed (not folded) until a sufficient number shall accumulate to form a volume, when they shall be bound.

**II3. Care of archives.**—With a view to facilitate reference to previous correspondence, diplo-



matic representatives shall keep in their offices the prescribed registers of all the documents, papers, letters, and books which have been, or which may be, at any time received, and also of those forwarded by them on matters connected with their official duties.

**114. Record of all communications.**—The copied records in the books above prescribed will include protocols of conferences, notes of official conversations, copies of correspondence, and every memorandum necessary to a full understanding of the history of the mission.

**115. Responsibility for condition of records.**—Diplomatic representatives of the United States who are not allowed a secretary will themselves keep up the records of their missions. Any such representative who may neglect this duty will be chargeable with the expense which the Government may incur in consequence of his neglect.

#### ARRANGEMENT AND PRESERVATION OF THE RECORDS AND ARCHIVES.

**116.** The public interest and the convenience of official intercourse with diplomatic representatives abroad require that every successor to a mission should be thoroughly acquainted with all the directions that may have been given by the Department of State to his predecessors and all that may have

been done by them in their official capacity. It is therefore the imperative duty of all diplomatic representatives to familiarize themselves with the records of their mission and to preserve the archives of their own as well as of preceding terms with the utmost care, for the benefit of their successors in office.

**117. Inventory to be sent to Department.**—As soon as practicable after the arrival of a diplomatic representative at his post he should examine the archives and property of the mission. If an inventory has been left by his predecessor, it should be verified with the person from whom it is received, and anything else found belonging to the United States and not contained in the inventory should be added thereto, with a note of such things as may be missing. If no inventory shall have been left, he must make one and verify it. In either case the inventory, of which a copy must be sent to the Department of State, should be filed in the mission. He will also, as soon as his convenience will permit, after arriving at his post, report to the Department of State the condition in which he finds the archives and records of the mission.

**118. All records public property.**—The instructions given to a diplomatic representative of the United States by his Government, the official com-

munications received by him from other sources, the records of his answers thereto, and the records of all transactions relating to his office belong to the archives of the mission; and they must be kept subject to the orders of the Department of State and be transferred, with the effects of the mission, together with the seals, letter press, arms, flags, and all other property belonging to the United States, to his successor in office.

**119. Printed books.**—All printed books delivered by the Department of State to a diplomatic representative and those found by him at the mission must permanently remain with the archives thereof and be transferred, as the property of the United States, by him to his successor in office or to such person as may be designated by the Department of State to take charge of them.

**120. Binding archives.**—As fast as the correspondence received at a mission accumulates in sufficient quantities to make a volume of from two to four inches in thickness in any particular series of records, the diplomatic representative shall cause it to be neatly and durably bound and appropriately lettered in the manner prevailing in the mission. If practicable, it is best to have this work done at his office. The cost is a proper item for the account for contingent expenses.

**121. Bound in regular series.**—It will in most

cases be found convenient to have the correspondence bound in the following series:

(a) Dispatches from the Department of State, arranged according to number and date.

(b) Notes from the government to which the representative is accredited, arranged by date.

(c) Correspondence with the consulates under the jurisdiction of the mission. This should, if practicable, be classified alphabetically as to consulates and chronologically as to the correspondence from each consulate.

(d) All other miscellaneous letters received, arranged by date.

**122. Binding inclosures.**—All inclosures received with any communication should be bound with it. If the original inclosures, for any reason, have been transmitted to some other quarter, a note of the fact should be inserted; and copies should, if possible, be retained on the files.

**123. Binding translations.**—Translations should be bound with the originals.

**124. Indexing the volumes.**—An index of the contents should be inserted at the beginning or end of each volume of correspondence.

**125. Missing correspondence.**—If, when the binding of the mission archives is undertaken, any part of the correspondence with the Department of State is missing, the fact should be reported, where-

upon an effort will be made to supply copies of the missing papers to complete the file.

**126. The older records.**—If a diplomatic representative, on taking charge, should find that any of the older records of the mission are unbound or not arranged, he should endeavor to classify, arrange, and bind them. These older records, often of great historic value, are always of interest and utility, and it is the desire of the Department of State that they should not suffer by neglect or be inaccessible. If the accumulation be large, it is not, of course, expected that the labor of their arrangement should be entailed on any one incumbent of the mission; but it is hoped that each in succession, in the interest of the public service, will endeavor to do his share in the gradual work of remedying any existing disorder.

#### MAILS.

**127. Dispatch bags.**—Attention is called to the matter which alone may be transmitted in the dispatch bags of the Government:

(a) Official correspondence and matter for the President or Vice-President of the United States, or any of the Executive Departments of this Government or the heads thereof, or the President pro tempore of the Senate, or the Speaker of the House of Representatives.

(*b*) Letters, newspapers, and printed matter intended for any of the Assistant Secretaries, the Assistant Postmasters-General, or the Assistant Attorneys-General, or for any of the officers of the Department of State.

(*c*) The private correspondence of the officials of the United States abroad and of the members of their families.

(*d*) Matter transmitted at the request of any foreign government to its representatives in the United States.

Letters from other members of the diplomatic corps may, if requested, be forwarded by a diplomatic representative under cover to the Department of State.

**128. Indorsement of correspondence.**—All correspondence referred to in paragraph 127 should be indorsed on the left upper corner of the envelope thus: U. S. Embassy or Legation at ———, A B, Ambassador, Minister, Chargé d’Affaires, or Secretary. The signature of the officer will be regarded as a certificate that the letter comes within the above rule. Letters not so indorsed and signed will not be forwarded through the mails of the United States.

**129. Unofficial letters.**—Letters of unofficial persons, not members of their families, must not be sent by diplomatic officers to the Department

of State with official dispatches for transmission to persons in the United States.

#### BEARERS OF DISPATCHES.

**130. Communications to be sent by mail.**—It is expected that communications to the Department of State will be sent by mail, or, if by private hand, that no promise be made to the person so employed of compensation or of a reimbursement of his expenses without the previous authority of the Department, and that no ground of expectation of compensation or of reimbursement of expenses be given.

**131. Private offers of service.**—It may happen that responsible private individuals will offer their services, without expectation of compensation, for the conveyance of official communications to the Department of State or from one mission to another. Such courteous offers may be accepted if deemed advisable.

**132. Special couriers.**—It is not intended to prevent diplomatic representatives from employing couriers at the public expense when the mails are obstructed or deemed unsafe and when there may be occasion to address the Department of State on subjects materially affecting interests of the United States which might suffer from delay or reasonably apprehended interruption in the transmission of the

dispatch. The exercise of the utmost discretion is, however, enjoined in judging of these exigencies. Whenever a representative shall determine to send a courier, he should inform the Department of State of the fact, assigning the reasons therefor and stating the compensation he recommends to be allowed him. The Secretary of State reserves to himself the right in all cases to judge of the necessity for the employment of a messenger and of the propriety of paying the whole or any part of the compensation which may have been recommended. This should be fully explained by the representative to the messenger before intrusting him with the dispatches.

**133. Special passport.**—When a bearer of dispatches is employed as above, a special passport may be given to him by the diplomatic representative, setting forth his name and the duty he is to perform. Such a passport is to be furnished without charge and is only good for the journey for which it is issued.

#### LETTERS UNCALLED FOR.

**134. To be returned to local post-office.**—All letters, except as below, addressed to the care or in the custody of diplomatic officers remaining uncalled for for a period of six months should, on the 1st days of January and July in each year, be re-



turned unopened and with stamps intact to the local post-office from which the diplomatic officer received them, in order that they may be returned to the United States, in pursuance of a special provision in the Universal Postal Union Convention, without expense, and go to the Dead-Letter Office.

**135. Naval letters.**—Letters intended for officers and seamen of the Navy on the Pacific and Asiatic squadrons and letters intended for the crews of whaling vessels may be retained one year before returning them as provided in paragraph 134. Upon returning such letters, an indorsement should be made on each, stating the reason for retaining it beyond the six months above prescribed.

**136. Not to be opened by unauthorized persons.**—Diplomatic representatives are instructed to take care that letters received by them are not opened by unauthorized parties.

#### CITIZENS.

**137. Native citizens.**—All persons born in the United States and subject to the jurisdiction thereof are citizens of the United States. This excludes the children of foreign diplomatic representatives. The circumstance of birth within the United States makes one a citizen thereof even if one's parents were at the time aliens, provided they were not, by

reason of diplomatic character or otherwise, exempted from the jurisdiction of its laws. Indians born within the territorial limits of the United States to whom allotments of land have been made by law or treaty, or who have voluntarily taken up a separate residence within its limits apart from any Indian tribe and have adopted the habits of civilized life, are citizens.—*U. S. Const., Amend. XIV; R. S., sec. 1992; 24 Stat. L., 388.*

**138. Children of citizens born abroad.**—All children born out of the limits and jurisdiction of the United States whose fathers were at the time of their birth citizens thereof are citizens of the United States; but the rights of citizenship do not descend to children whose fathers never resided in the United States. That the citizenship of the father descends to the children born to him when abroad is a generally acknowledged principle of international law.—*R. S., sec. 1993.*

**139. Naturalized citizens.**—Naturalization is a judicial act; and a certificate of naturalization, in regular form, by any circuit or district court of the United States, or a district or supreme court of the Territories, or a court of record of any of the States having common-law jurisdiction and a seal and clerk (*R. S., sec. 2165*), will be treated by diplomatic officers as conclusive evidence of citizenship, except as herein otherwise provided.

**140. Chinese and other excepted races.**—The statutes of the United States, with respect to naturalization, authorize the naturalization only of white persons, or persons of African nativity or descent, or members of any Indian tribe or nation residing in the Indian Territory. Section 14 of the act of May 6, 1882, also specifically prohibits the naturalization of Chinese. The naturalization of Chinese and other Mongolians and of all persons not white, nor of African nativity or descent, nor an Indian as aforesaid, is void, and diplomatic officers should disregard their certificates of naturalization.—*R. S.*, sec. 2169; 22 *Stat. L.*, 61, sec. 14; 26 *Stat. L.*, 99, sec. 43; 5 *Saw.*, 155; 16 *Nev.*, 50, 61; 84 *Cal.*, 163; 21 *Pac. Rep.*, 993; 149 *U. S.*, 716.

**141. Wife of citizen.**—Any white woman, or woman of African nativity or descent, or Indian woman, married to a citizen of the United States is a citizen thereof; and it is immaterial whether the husband became a citizen before or after marriage.—*R. S.*, sec. 1994; 7 *Wall.*, 496; 25 *Stat. L.*, 392.

**142. Children of naturalized citizens.**—The children of persons who have been duly naturalized under any law of the United States, being under the age of twenty-one years at the time of the naturalization of their parents, if dwelling at that time in the United States, are citizens thereof.—*R. S.*, sec. 2172.

**143. Declaration of intention.**—The declaration of intention to become a citizen of the United States does not make one a citizen, and the certificate of a court that such declaration has been made is not evidence of citizenship; but when any alien who has made the prescribed declaration dies before he is actually naturalized, the widow and children of such alien are considered as citizens of the United States upon taking the oaths prescribed by law.—*R. S., secs. 2165, 2168.*

**144. Expatriation.**—The right of expatriation is declared by section 1999 of the Revised Statutes, but the method by which a citizen may renounce his allegiance to the United States is not specifically provided. Diplomatic officers will not consider as citizens of the United States those who have voluntarily become naturalized or otherwise invested with citizenship in a foreign state.

**145. Deserters.**—All persons convicted by a court-martial or other court of competent jurisdiction of having deserted the naval or military service of the United States, and who did not return thereto or report themselves to a provost marshal within sixty days after the issuance of the proclamation by the President dated the 11th day of March, 1865, and who have not been relieved therefrom by act of Congress or otherwise, are deemed to have voluntarily relinquished and

forfeited their rights of citizenship.—*R. S., sec. 1996; 115 U. S., 501.*

#### PASSPORTS.

**146. Who may issue.**—Passports can be issued in the United States only by the Secretary of State. In foreign countries they may be issued, granted, and verified only by such diplomatic and consular officers of the United States and under such rules as the President shall designate and prescribe ; and no other person shall grant, issue, or verify any such passport.—*R. S., sec. 4075.*

**147. By diplomatic officers.**—Where a mission of the United States is established in any country, no person other than the diplomatic representative of the United States at such place shall be permitted to grant or issue any passport, except in the absence therefrom of such representative.—*R. S., sec. 4075.*

**148. By consular officers.**—No consul-general, consul, or commercial agent shall issue passports, except those specifically authorized by the Department of State. Consular agents are never so authorized.

**149. To citizens only.**—No passport shall be granted or issued to or verified for any other persons than citizens of the United States.—*R. S., sec. 4076.*

**150. Issuance discretionary.**—Ordinarily passports should be granted to native and naturalized citizens upon application and the prescribed proof of citizenship. If there is good reason to believe, however, in the case of a naturalized citizen, that his certificate of naturalization has been improperly granted, as, for example, that the bearer, not being a seaman or not having served in the Army (*R. S., secs. 2166, 2174*), did not reside within the United States for the continuous term of five years next preceding his naturalization, the granting of a passport should be withheld pending the instructions of the Department of State. The granting of a passport should also be withheld pending the instructions of the Department where the applicant, whether native or naturalized, has resided without the United States for a long period of time under such circumstances as to warrant the inference that he has practically abandoned his country. In all such cases the facts should be fully reported to the Department for further instructions.

**151. Application.**—Native citizens applying for a passport must present their application, make an affidavit with respect to birth, take the oath of allegiance, and furnish an identification by a creditable person, all in duplicate, and according to Form No. 176 (see page 161). Naturalized citizens must comply with the same requirements, using Form No. 177

(see page 163), or, if claiming citizenship through the naturalization of husband or parent, using Form No. 178 (see page 165). A naturalized citizen must also exhibit his original certificate of naturalization, or that of the husband or parent through whom citizenship is claimed, or a duly certified copy thereof from the court granting it. Further evidence of the applicant's citizenship may be required if deemed necessary. The identity of an applicant for a passport should always be established before a passport is issued; and the nature of the proof, whether documentary or by a witness or by the personal knowledge of someone connected with the mission, should be stated on the application.

**152. Expiration of passport.**—A passport expires two years after the date of its issuance, and can not be renewed. A new passport may be issued upon a new application in accordance with the provisions of paragraph 151.

**153. Old passport in lieu of naturalization certificate.**—In the case of a naturalized citizen, an old passport previously issued at the mission to which the new application is made will be accepted in lieu of a naturalization certificate, if the application upon which it was originally issued contains sufficient information as to the immigration, residence, and naturalization of the applicant. Such old passport should be retained and sent to the De-

partment of State with the application in making the report required in paragraph 163.

**154. Prior passport by Secretary of State.**—When a person applies for a new passport before his old passport has expired, the latter, if issued by the Secretary of State, coupled with proof that the person in whose behalf it is presented is the person named therein, may be taken within two years from its date as *prima facie* evidence of the citizenship of the applicant. Such passport should be retained and sent to the Department of State with the application in making the report required in paragraph 163.

**155. Oath.**—Secretaries of embassy or legation are authorized to administer the required oath to an applicant for a passport. They must sign the jurat in their official capacity and affix the seal of the mission thereto.

**156. Form and number.**—Passports issued by a mission should be according to Form No. 196 or 197 (see pages 181, 182) and should be numbered, commencing with No. 1 and continuing consecutively until the end of the diplomatic representative's term of office. Professional titles should not be inserted in passports.

**157. Wife, minor children, and servants.**—When the applicant for a passport is accompanied by his wife, minor children, or by a servant who is



a citizen of the United States, it will be sufficient to state in the passport the names of such persons and their relationship to or connection with him. A separate passport should be issued to each person of full age not the wife or servant of another with whom he or she is traveling.

**158. To be signed by holder.**—Whenever a passport is issued upon an application made in person to a mission, the diplomatic representative will see that the same is signed before it is delivered. In sending a passport by mail, the person in whose favor it is issued should be instructed to sign it upon receipt.

**159. Fees.**—An official fee equivalent to one dollar in the gold coin of the United States must be collected for each passport issued. An unofficial fee of fifty cents may be collected for filling out in duplicate an application to the mission, when done by the secretary, and an unofficial fee of fifty cents for administering the oath in duplicate, and no larger fees in that behalf are permitted.—*R. S., sec. 1745.*

**160. Visa.**—A diplomatic officer may visa, or verify, regularly issued passports by indorsing on the passport the word "Good," in the language of the country, and affixing to the indorsement his official signature and seal. He should visa passports only when there is no consulate of the United

States established in the city where the mission is situated, or when the consular officer is absent or the government of the country refuses to acknowledge the validity of the consular visa. Whenever a passport without signature is presented to be visaed, the holder should be required to sign it before it is visaed by the diplomatic officer. An official fee equivalent to one dollar in the gold coin of the United States shall be collected for each passport visaed, except special passports, which shall be visaed free of charge. No visa shall be attached to a passport after two years from its date. A new passport may, however, be issued in its place, by the proper authority, under the conditions hereinbefore provided (paragraphs 146-159).

**161. Visa good only in country where accredited.**—The visa, or verification, of a passport is designed to give it authority and ready acceptance in the country only in which the officer affixing it is accredited. The holder of a passport wishing to establish its genuineness and validity in any particular locality should apply to a consul of the United States having recognized official character in that locality.

**162. Irregular certificates.**—Passports can be issued in the United States only by the Secretary of State, and in foreign countries by diplomatic representatives or certain designated consular offi-

cers of the United States only, and under such rules as the President shall designate and prescribe (*R. S.*, *sec.* 4075). All other persons acting or claiming to act in any office or capacity under the United States, or any of the States of the United States, are forbidden by the statutes, under a penalty of imprisonment not exceeding one year, or a fine not exceeding five hundred dollars, or both, to grant, issue, or verify any passport or other instrument in the nature of a passport to or for any citizen of the United States, or to or for any person claiming to be or designated as such in such passport or verification (*R. S.*, *sec.* 4078). Certificates of citizenship, therefore, issued by an unauthorized person should not be recognized or visaed.

**163. Return of passports.**—At the close of each quarter diplomatic representatives shall make a report to the Department of State of all passports issued during the quarter. One copy of every application, including the oath of allegiance and identification, upon which a passport has been issued must be transmitted with the report. The report should be made according to Form No. 121 (see page 159) and should state, with respect to each passport, (*a*) date of issuance; (*b*) person to whom issued, placing the surname before the Christian name; (*c*) number of passport; (*d*) evidence on which the passport was issued; (*e*) fee received.

**164. Return of passports visaed.**—At the close of each quarter a report shall be made to the Department of State by diplomatic representatives of all passports visaed, or verified, during the quarter. This report should be made according to Form No. 122 (see page 159) and should state, with respect to each passport, (*a*) number of passport; (*b*) date of issuance; (*c*) to whom issued, placing the surname before the Christian name; (*d*) by whom issued; (*e*) form of passport; (*f*) date of visa; (*g*) prior visas thereon, dates thereof, and by whom made; (*h*) any further explanation required.

**165. Certificate of deposit of passports.**—Certificates in the nature of passports and to be used as such are forbidden. In countries, however, where the local laws or regulations require the deposit of a passport during the temporary sojourn of a traveler a certificate setting forth the facts as appearing from the passport may be granted, but only to comply with the requirements of the local law or regulation. Such certificates should be according to Form No. 179 (see page 167), unless the law of the country prescribes a different one, in which case the diplomatic representative will transmit a copy of such form to the Department of State.

**166. China.**—In China applications for passports should be addressed to the legation in the form

herein required (paragraph 151), but the applicant should give his full Christian name and surname in both the English and the Chinese languages. Where the application can not be sworn to before a consul, and no notary or other officer authorized to administer oaths is accessible to the applicant, he may transmit the application accompanied by a certificate signed by himself and two witnesses, according to Form No. 180 (see page 167).

**167. Chinese travel certificates.**—In China consuls may issue travel certificates according to Form No. 181 (see page 168) to persons who possess passports as citizens of the United States and are about to make a journey into the interior of China, when such certificates are required by the local authorities, such certificates to be good for one year from their date. They may likewise issue travel certificates according to Form No. 182 (see page 168) to persons who have made a formal application for passports as citizens of the United States; but such certificates should be issued only when the person desires to start on his journey before his passport can be received from the legation and must be expressed to be good only for the journey for which it is sought. Its validity for such journey shall not be of greater duration than one year. If the application for a passport in such case is refused upon the ground that the applicant is not

a citizen of the United States, it becomes the duty of the consul who issued the travel certificate to notify the person to whom it was issued and the proper Chinese authorities that it is no longer valid.

#### PROTECTION.

**168. Naturalized citizens.**—All naturalized citizens of the United States while in foreign countries are entitled to and shall receive the same protection of person and property which is accorded to native-born citizens (*R. S., sec. 2000*). The United States have treaties, however, with several countries regulating and controlling the status of naturalized citizens of the United States on their return to their native land.

**169. Circumstances under which withheld.**—Ordinarily, citizens of the United States, whether native or naturalized, subject to the provisions of the foregoing paragraph, are entitled to the protection and intervention of diplomatic and consular officers in proper cases. The right of a citizen, however, to claim protection is founded upon the correlative right of this Government to claim his allegiance and support. Where a citizen, therefore, has resided abroad for a long period of time under such circumstances as to warrant the inference that he has practically abandoned his country, diplomatic representatives may withhold their inter-

vention pending the instructions of the Department of State.

**170. Intervention.**—When a diplomatic representative is satisfied that an applicant for protection has a right to his intervention, he should interest himself in his behalf, examining carefully into his grievances. If he finds that the complaints are well founded, he should interpose firmly, but with courtesy and moderation, with the authorities in his behalf and report the case to the Department of State for its further action, if any be required.

**171. Eastern countries.**—In eastern countries, and especially in the Turkish dominions, protection, in accordance with treaty provisions or local custom, may be given to aliens actually in discharge of official duties under the direction of diplomatic officers or employed in their domestic service. No instrument in the nature of a passport should be issued to aliens thus protected, but when necessary a certificate may be given setting forth their relation and duties in connection with the mission. Diplomatic representatives will report to the Department of State on the 1st of January and July of each year the names and occupations of all aliens to whom, during the six months preceding, such protection may have been given or by whom it may have been claimed.

**172. Protection of foreign subjects in certain cases.**—Requests have occasionally been made upon the Government of the United States to permit its diplomatic and consular officers to extend their protection to citizens or subjects of a foreign government who may desire it and who may be sojourning at places where there are no diplomatic or consular representatives of that government. This Government has from time to time, upon the request of friendly powers, given to its diplomatic and consular officers authority to take upon themselves, with the consent of the government within whose jurisdiction they reside, the function of representing those powers at places where the latter had no such officers. It has understood this authority to be restricted simply to the granting of the services and good offices of our representatives, with their own consent, to meet what has ordinarily been a fortuitous and temporary exigency of the friendly government. When this function is accepted—which must be done only with the approval of the Department of State—the diplomatic or consular officer becomes the agent of the foreign government as to the duties he may perform for its citizens or subjects. He becomes responsible to it for his discharge of those duties, and that government alone is responsible for his acts in relation thereto. He does not, however, for this purpose,



become a diplomatic or consular officer of the foreign government. (See paragraphs 71, 72.)

**DUTIES TOWARD CITIZENS OF THE UNITED STATES.**

**173.** The powers and duties of diplomatic representatives in regard to their fellow-citizens depend in a great measure upon the municipal law of the United States. No civil jurisdiction can be exercised by them over their countrymen without express authority of law or treaty stipulation with the state in which they reside, and no criminal jurisdiction is permitted to them in Christian states. They are particularly cautioned not to enter into any contentions that can be avoided, either with their countrymen or with the subjects or authorities of the country. They should use every endeavor to settle in an amicable manner all disputes in which their countrymen may be concerned, but they should take no part in litigations between citizens. They should countenance and protect them before the authorities of the country in all cases in which they may be injured or oppressed, but their efforts should not be extended to those who have been willfully guilty of an infraction of the local laws. It is their duty to endeavor, on all occasions, to maintain and promote all rightful interests and to protect all privileges that are provided for by treaty or are conceded by usage. If representations made to the authorities

of the countries fail to secure proper redress, the case should be reported to the Department of State.

**174. Claims.**—The interposition of diplomatic representatives is often asked by their countrymen to aid in the collection of claims against the government to which they are accredited. If the claim is founded in contract, they must not interfere without specific instructions to do so. If it is founded in tort, they will, as a general rule, in like manner, seek previous instructions before interfering, unless the person of the claimant be assailed or there be pressing necessity for action in his behalf before they can communicate with the Department of State; in which event they will communicate in full the reasons for their action.

**175. Destitute Americans.**—There is no appropriation or authority for the relief by a diplomatic representative of a distressed citizen of the United States or for furnishing him transportation home. The exception in the case of seamen falls under consular administration.

**176. Social relations.**—Though the social relations of a diplomatic representative to his own countrymen resident in or visiting the capital where he resides should be cordial, they have no claim upon his hospitality requiring him to assume expenses or burdens not in accord with his official duties or compensation.

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**MARRIAGES.**

**177. Statutory provisions relate only to consuls.**—The laws of the United States do not confer on diplomatic officers any power to celebrate marriages, to act as official witnesses of the ceremony of marriage, or to grant certificates of marriage. The statutory provisions relating to the celebration abroad of marriages of citizens of the United States refer only to consuls. (See Consular Regulations of 1896, paragraphs 417-422.)

**178. Effect of marriage in presence of a consular officer.**—It is provided by statute that "marriages in presence of any consular officer of the United States in a foreign country, between persons who would be authorized to marry if residing in the District of Columbia, shall be valid to all intents and purposes and shall have the same effect as if solemnized within the United States" (*R. S., sec. 4082*). The statute does not exclude modes of solemnization other than that in presence of a consular officer. Marriages abroad, when not in the presence of a consular officer, if otherwise valid, are not invalidated by the above statute. The statute does not authorize the consular officer to perform the ceremony, but simply prescribes the legal effect which will be given to a marriage performed in his presence. In view of the exclusive authority

of the States in such matters, this statute would probably not be operative outside of the District of Columbia and the Territories.

**179. General principles as to solemnization.—**

It is a principle of international law that the law of the place of solemnization shall, whenever this is practicable, determine the mode of solemnization. When consuls are requested to act as official witnesses of marriages, they should see that the requirements of the law of the place of celebration have been, as far as practicable, complied with. It is not intended, however, in these Instructions in any way to question or modify the principle of international law that, while the form of solemnizing marriage is determined ordinarily by the law of the place of solemnization, exceptions are recognized: (*a*) When it is impossible to use such form; (*b*) when it is repugnant to the religious convictions of the parties; (*c*) when it is not imposed on foreigners by the sovereign prescribing it; (*d*) when the ceremony is performed in a non-Christian or semi-civilized country.—7 *Op. Att. Gen.*, 18.

In Massachusetts, where the service must be performed by a licensed minister or a justice of the peace, a statute has been adopted validating marriages before foreign consuls and in foreign legations. This may be the case with other States.

Solemnization by a clergyman or magistrate is

not necessary to the validity of the marriage in most jurisdictions in this country.

**180. Matrimonial capacity.**—As a general rule, matrimonial capacity is determined by the law of the place of domicile of the party in question.

**181. In non-Christian countries.**—The rule as to prevalence of local forms does not apply to non-Christian or semicivilized countries where consular courts are established. In those countries the consular officer will have to determine, so far as concerns persons domiciled in the District of Columbia or in the Territories, whether the parties would be authorized to marry if residing in the District of Columbia or in one of the Territories. His duty, so far as concerns persons domiciled in a State, is to inquire whether they are authorized to marry in such State.

**182. Ceremony in a legation.**—It is not unusual for Americans abroad to ask permission to have a marriage ceremony performed in the embassy or legation and in the presence of the diplomatic representative. There is no reason why a diplomatic representative should not comply with this request. But it is proper, at the same time, to inform the parties making the application that, in the opinion of the Department of State, a ceremony of marriage performed within the precincts of a legation should, with the above limitations,

comply with the requirements of the laws, of the country within which the legation is situated.

**183. Preliminary inquiries.**—Whenever an application is made for the use of a legation for such a purpose, it will be the duty of the diplomatic representative to inquire whether the parties may lawfully marry according to the laws of the country in which the legation is situated; and whether the proper steps have been taken to enable the marriage ceremony to be legally performed according to such laws. If either of these inquiries should be answered in the negative, or if the case does not fall within one of the exceptions above stated (paragraph 179), it will be his duty to inform the applicants that he can not permit the ceremony to be performed at the legation, as there may be grave doubts respecting its validity.

If it is desired in such cases by citizens of the District of Columbia or of the Territories to avail themselves of the provisions of the statute (*R. S., sec. 4082*), then the diplomatic representative should inform them that under the laws of the United States it will be necessary to have the nearest consular officer of the United States present; and he should give them an opportunity to have such officer present, if they desire it.

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**ESTATES OF DECEASED CITIZENS OF THE UNITED STATES.**

**184. Where there is no consulate.**—If there be no consulate of the United States established at the seat of the mission, the competence and duty of the diplomatic representative there will usually be recognized by the local authorities in regard to the estates of citizens of the United States dying intestate within his jurisdiction. In such instances the diplomatic representative should be governed as to details by the tenor of the instructions for the guidance of consuls under like circumstances, as found in paragraphs 385-416 of the Consular Regulations of 1896.

**185. Proceedings to be reported.**—In carrying out the provisions of paragraph 184, in all cases where a consular officer is required to make report or return to the Treasury Department, a diplomatic representative not having superadded consular functions will report and make return to the Secretary of State.

**EXAMINATION OF TITLES AND OTHER UNOFFICIAL SERVICES.**

**186. Unofficial services.**—Diplomatic officers are frequently asked by their countrymen at home to examine titles, investigate the record of private

claims, or do other services for them in a foreign land. It is sometimes even assumed that persons making the request have a right to such services. Diplomatic officers should treat all such requests courteously and, referring to these Instructions, should state that the request can not be complied with unless specific instructions to do so are received from the Department of State.

**187. Indorsements.**—Diplomatic officers are absolutely forbidden to indorse bills of exchange or notes or in any other way to become responsible pecuniarily for American citizens or others.

**188. Use of name as reference.**—Diplomatic officers should always refuse to permit the use of their names as references for business or other enterprises.

#### GENERAL RELATIONS TO CONSULAR OFFICERS.

**189. Prescribed in the Consular Regulations.**—The general relations of the consular establishment of the United States in a foreign country to the diplomatic representative accredited thereto are fully laid down in the Consular Regulations of 1896 (paragraphs 101–108).

**190. Special cases.**—Some of the more important cases springing from such relationship between diplomatic and consular officers are embraced for convenience in the following paragraphs:



**191. Duties of diplomatic representatives.—**

Diplomatic representatives in countries where there is no consul-general with supervisory powers will continue, as heretofore, to exercise a general supervision over the consular officers within their respective jurisdictions. And, generally, these representatives should maintain such correspondence with consular officers in the countries to which they are accredited as they may deem conducive to the public interest. It will be the duty of consular officers to endeavor in all cases to comply with the requests and wishes of the diplomatic representatives.

**192. Consuls-general.—**The consuls-general will exercise, to the extent provided for in the Consular Regulations of 1896 (paragraph 94) and instructions, the supervisory powers over the consuls and consulates within their respective jurisdictions which in other cases are vested in the diplomatic representatives of the United States.

**193. Correspondence of consuls.—**The several consuls subordinate to a consul-general will not correspond officially with the diplomatic representatives of the United States, unless in reply to communications or inquiries from them, but will make all their representations through the consulate-general.

**194. Relations of consuls-general to diplomatic representatives.—**In their turn, the consuls-

general will maintain the same relations to the diplomatic representatives in the countries where they reside that consuls do to diplomatic representatives in other countries. The consul-general in Cuba is, however, responsible only to the Department of State.

**195. Leaves of absence and appointments.—**

Requests for leaves of absence or for the appointment of substitute or subordinate consular officers mentioned in paragraphs 25, 26, and 39 of the Consular Regulations of 1896, when preferred by principal consular officers in the Argentine Republic, Belgium, Bolivia, Chile, Costa Rica, Denmark (except the colonies), Guatemala, Hawaii, Honduras, Netherlands (except the colonies), Nicaragua, Peru, Portugal and dependencies (except St. Paul de Loanda), Roumania, Salvador, Spain (except the colonies), Sweden and Norway, Switzerland, Uruguay, and Venezuela, must be accompanied by the written approval of the diplomatic representative of the United States.

**196. Subordinate consular appointments.—**

In case a vacancy occurs in the offices both of consul and vice-consul which requires the appointment of a person to perform temporarily the duties of the consulate the diplomatic representative has authority to make such appointment, with the consent of the foreign government and in conformity to law

and the Consular Regulations of 1896 (paragraph 107), immediate notice being given to the Department of State. In those countries, however, where there are consuls-general, to whom the nominations of subordinate officers are required to be submitted for approval, the authority to make such temporary appointments is lodged with them. Immediate notice must be given to the diplomatic representative of the proposed appointment; and, if it can be done within a reasonable time, he should be consulted before the appointment is made. If such vacancy should occur in a consulate-general, the temporary appointment will be made by the diplomatic representative.

**197. Commission and exequatur.**—When a consul is appointed, it is the practice of the Department of State to send the consular commission to the diplomatic representative of the United States in the country to which the consular district belongs, with instructions to apply in the proper quarter for an exequatur, by which the consular officer is officially recognized and authorized to discharge his duties. When the exequatur is obtained, it should be transmitted to the consular officer at his post, through the consulate-general, if there be one in the country; otherwise, directly to his address. The consular commission should also be sent to him at the same time. It is usual, also, to apply in the

same manner for the exequatur, or formal recognition, of subordinate officers.

**198. Temporary permission for consular officer to act.**—The practice in respect to consular officers in the colonies or dependencies of a country is to instruct the consul-general, or the principal consular officer, if there be no consul-general, to apply to the proper colonial authority for permission for the subordinate to act temporarily in his official capacity, pending the result of the request for the exequatur. Upon the application of the consular officer, or of the consul-general when there is one, the diplomatic representative should make to the minister for foreign affairs such request for temporary permission to act in the case of any consular officer under his jurisdiction.

**199. China.**—Owing to the remoteness of Peking from the consular ports, every consul in China will send to the diplomatic representative on the first of every month a brief topical summary, giving a list of all official communications made by him during the month preceding to the consul-general, the Department of State, the local Chinese authorities, to consular agents, or to others to whom he may have occasion to write in the course of business, and of all communications received. The consul-general will also in the same way keep the diplomatic representative fully informed as to the business of the

consulate-general; and any event of political importance, whether the interests of the United States are directly involved or not, should be immediately reported to him.

#### JUDICIAL POWERS IN NON-CHRISTIAN COUNTRIES.

For the convenience of diplomatic representatives, the following articles in regard to the judicial powers of diplomatic and consular officers in non-Christian countries are repeated from the revised Consular Regulations of 1896. They sufficiently show the original powers and functions of the head of the mission, as well as his advisory, supervisory, or appellate relations to consular officers exercising extraterritorial jurisdiction in the same country, as defined by existing statutes and regulated by the prescriptions or decisions of the Department of State.

**200. Secured by treaties.**—By treaty stipulations with most non-Christian countries, the United States have acquired a right of extraterritoriality. Congress has enacted certain statutes for carrying into effect the provisions of these treaties by conferring judicial powers upon consular officers and original or appellate jurisdiction upon diplomatic representatives. These statutes are embraced in sections 4083 to 4130, inclusive, of the Revised Statutes. It is the duty of all diplomatic repre-

sentatives in those countries to acquaint themselves with these provisions of law.

**201. When no minister.**—If at any time there be no minister in either of the countries mentioned in Title XLVII of the Revised Statutes, the judicial duties imposed by its provisions upon the minister shall devolve upon the Secretary of State, who is authorized and required to discharge them.—*R. S., sec. 4128.*

**202. Definitions.**—The word “minister” as used in Title XLVII of the Revised Statutes means the person invested with and exercising the principal diplomatic functions. The word “consul” means any person invested by the United States with and exercising the functions of consul-general, vice-consul-general, consul, or vice-consul.—*R. S., sec. 4130.*

**203. China, Japan, and Siam.**—Ministers and consuls of the United States duly appointed to reside in China, Japan, Siam, and Madagascar—in addition to other powers and duties imposed upon them, respectively, by the provisions of the treaties with those countries—are invested with the judicial authority described in Title XLVII of the Revised Statutes, which shall appertain to the office of minister and consul and be a part of the duties belonging thereto, wherein and so far as the same is allowed by treaty.—*R. S., sec. 4083.*

**204. Turkey.**—The provisions of Title XLVII of the Revised Statutes, so far as the same relate to crimes and offenses committed by citizens of the United States, are extended to Turkey, under the treaty with the Sublime Porte of May 7, 1830, and also for the exercise of jurisdiction in civil cases wherein the same is permitted by the laws of Turkey or its usages in its intercourse with the Franks or other foreign Christian nations.—*R. S., sec. 4125.*

**205. Persia.**—The provisions of Title XLVII of the Revised Statutes extend also to Persia in respect to all suits and disputes which may arise between citizens of the United States therein. All suits and disputes arising in Persia between Persian subjects and citizens of the United States are to be carried before the Persian tribunal to which such matters are usually referred, at the place where a consular officer of the United States may reside, and shall be discussed and decided according to equity in the presence of an employee of the consular officer; and it is the duty of the consular officer to see that justice is administered. All suits and disputes in Persia between citizens of the United States and the subjects of other foreign powers are to be tried and adjudicated by the intermediation of their respective ministers or consuls, in accordance with such regulations as shall be mutually agreed upon between the respective

ministers. These regulations from time to time are to be submitted to the Secretary of State.

**206. Barbary States, Maskat, and Samoa.—**

The provisions of Title XLVII of the Revised Statutes extend also to Tripoli, Tunis, Morocco, Maskat, and the islands of Samoa, so far as the same can be exercised under the provisions of treaties with those countries and in accordance with the usages of the countries in their intercourse with the Franks or other Christian nations.—*R. S., sec. 4127.*

**207. Extension of jurisdiction to other countries.—**The provisions of Title XLVII of the Revised Statutes with respect to the jurisdiction of consular officers in civil and criminal cases is also extended to any country with which the United States have or may hereafter have treaty relations. The act of Congress of June 14, 1878 (*20 Stat. L., 131*), provides that whenever the United States shall negotiate a treaty with any foreign government in which the American consul-general or consul shall be clothed with judicial authority, and securing the right of trial to American citizens residing therein before such consul-general or consul, and containing provisions similar to or like those contained in the treaties with Tripoli, Tunis, Morocco, Maskat, and the islands of Samoa, the provisions of Title XLVII, so far as the same may be applicable, shall



have full force in reference to said treaty and shall extend to the country of the government negotiating the same.—*R. S., secs. 4127, 4129.*

**208. Uncivilized countries.**—The consuls and commercial agents of the United States at islands or in countries not inhabited by any civilized people or recognized by any treaty with the United States are also invested by statute with the power to hear and determine all cases in regard to civil rights, whether of persons or property, where the real debt or damages do not exceed one thousand dollars, exclusive of costs, and, upon full hearing of the allegations and evidence of both parties, to give judgment according to the laws of the United States and according to the equity and right of the matter, in the same manner as justices of the peace are now authorized and empowered where the United States have exclusive jurisdiction (*R. S., sec. 4088*). They may also issue warrants to arrest offenders; arraign, try, and convict them; and punish them to the extent of one hundred dollars fine or imprisonment not to exceed sixty days. And generally they are invested with the powers conferred by the Revised Statutes (sections 4086 and 4087) for the trial of offenses or misdemeanors.

**209. Constitutionality.**—The Supreme Court of the United States has held that the National Government has power to make treaties providing for

the exercise of judicial authority in other countries by its officers appointed to reside therein, and that the provisions of Title XLVII of the Revised Statutes for the trial of felonies without indictment by a grand jury and trial by a petit jury are constitutional.—140 *U. S.*, 453.

**210. Mixed courts in Tunis, Morocco, and Tripoli.**—In Tunis, Morocco, and Tripoli citizens of the United States committing murder or homicide upon a subject of those powers are to be tried by a mixed court, at which the consul is to “assist.”

**211. Usages in Turkey.**—The undisputed portion of the fourth article of the treaty of 1830 with the Ottoman Porte provides for the supervision of the American dragoman in the hearing of all litigations and disputes arising between subjects of the Sublime Porte and citizens of the United States. It is not in dispute that the usages observed toward other Franks are to be observed toward citizens of the United States. These usages are believed to be the following:

(a) Turkish tribunals for questions between subjects of the Porte and foreign Christians.

(b) Consular courts for the business of each nation of foreign Christians.

(c) Trial of questions between foreign Christians of different nations in the consular court of the defendant's nation.

(*d*) Mixed tribunals of Turkish magistrates and foreign Christians, at length substituted in part for cases between Turks and foreign Christians.

(*e*) Finally, for causes between foreign Christians, the substitution at length of mixed tribunals in place of the separate courts—this arrangement introduced at first by the legations of Austria, Great Britain, France, and Russia, and then tacitly acceded to by the legations of other foreign Christians.

**212. Most favorable usage to be claimed in Turkey.**—Whatever favorable usage may be observed toward subjects or citizens of Great Britain, France, Austria, Italy, Russia, Germany, or of any other great power must be claimed and insisted upon in favor of citizens of the United States; for by the first article of the treaty of February 25, 1862, between the United States and the Ottoman Empire it is agreed that all rights, privileges, and immunities granted to the subjects of any other foreign power shall be equally granted to and enjoyed by the citizens of the United States.

**213. Treaty of 1858 with China.**—The revised treaty with China of 1858 (article 11) provides that if controversies arise between citizens of the United States and subjects of China which can not be amicably settled otherwise, the same shall be examined and decided conformably to justice and equity by

the public officers of the two nations, acting in conjunction.

**214. Criminal jurisdiction.**—Consuls in the countries hereinbefore mentioned are empowered to arraign and try at the posts for which they are appointed, and in the manner provided in Title XLVII of the Revised Statutes, all citizens of the United States charged with offenses against law, committed in such countries respectively, and to sentence such offenders in the manner therein authorized, and to issue all such processes as are suitable and necessary to carry this authority into execution.—*R. S., secs. 4084, 4087.*

**215. Civil jurisdiction.**—Consuls are invested with all the judicial authority necessary to execute the provisions of such treaties, respectively, in regard to civil rights, whether of property or person; and such jurisdiction embraces all controversies between citizens of the United States, or others, provided for by such treaties. They shall entertain jurisdiction in matters of contract at the port where, or nearest to which, the contract was made, or at the port at which, or nearest to which, it was to be executed, and in all other matters at the port where, or nearest to which, the cause of controversy arose, or at the port where, or nearest to which, the damage complained of was sustained, provided such port be one of the ports at which

the United States are represented by consuls.—*R. S., sec. 4085.*

**216. Mode of proceeding.**—The mode of proceeding and the laws by which diplomatic and consular officers are to be governed are prescribed or provided for by the statutes. They should consult the text of the statutes. (For forms of proceedings, see paragraph 229.)

**217. Jurisdiction, how exercised.**—Jurisdiction in both criminal and civil matters shall be exercised in conformity, first, with the laws of the United States; second, with the common law and the law of equity and admiralty; and third, with decrees and regulations, having the force of law, made by the ministers of the United States in each country, respectively, to supply defects and deficiencies when neither the common law, nor the law of equity or admiralty, nor the statutes of the United States furnish appropriate and sufficient remedies.—*R. S., sec. 4086.*

**218. Power of ministers to make regulations.**—The authority of a minister to make regulations having the force of law within the country to which he is accredited is a judicial authority. The minister is required to execute the power in conformity with the laws of the United States, with authority to supply defects and deficiencies in two cases only: (a) Where those laws are not adapted

to the exercise of the judicial authority conferred by the statute; (b) where they are deficient in the provisions to furnish suitable remedies (*R. S., sec. 4086*). In each of these contingencies the minister has authority to make regulations in order "to furnish suitable and appropriate remedies," and for no other purpose whatever. Every power named in the statute in this respect is conferred upon the minister "in order to organize and carry into effect a system of jurisprudence." The statute confers upon him no authority to make a regulation requiring citizens of the United States to register their names and no power to enforce such a regulation judicially.

**219. Warrant of arrest.**—A consul at the port for which he is appointed is authorized, upon facts within his own knowledge, or which he has good reason to believe true, or upon complaint made or information filed in writing and authenticated in such way as shall be prescribed by the minister, to issue his warrant for the arrest of any citizen of the United States charged with committing in the country an offense against law.—*R. S., sec. 4087*.

**220. Original jurisdiction.**—The power of commencing original civil and criminal proceedings is vested in consuls exclusively, except that capital cases for murder or insurrection against the government of the country in which they reside by citi-

zens of the United States, or offenses against the public peace amounting to felony under the laws of the United States, should be tried before the minister of the United States in the country where the offense is committed, if allowed jurisdiction; and except, also, that original jurisdiction is vested in said ministers respectively in cases where a consular officer shall happen to be interested either as party or as witness.—*R. S., secs. 4090, 4109.*

**221. Associates in criminal cases.**—Whenever, in any case, the consul is of opinion that, by reason of the legal questions which may arise therein, assistance will be useful to him, or whenever he is of opinion that severer punishment than five hundred dollars fine or ninety days' imprisonment will be required, he shall summon to sit with him on the trial one or more citizens of the United States, not exceeding four, who shall be taken by lot from a list previously submitted to and approved by the minister and who shall be persons of good repute and competent for duty. Every such associate shall enter upon the record his judgment and opinion and shall sign the same; but the consul shall give judgment in the case.—*R. S., sec. 4106.*

Section 4106 of the Revised Statutes seems to give consuls only the discretionary power to summon associates. In practice, however, it is custom-

ary for the minister to exercise this power in cases where he has original jurisdiction.

**222. Capital cases.**—In trials for capital offenses there must be not less than four associates, who must all concur in opinion with the consul; and their opinion must be approved by the minister before there can be a conviction. But a person put upon trial for a capital offense may be convicted of a lesser offense of similar character.—*R. S., secs. 4102, 4106.*

**223. Associates in civil cases.**—Whenever a consul is of opinion that any case involves legal perplexities and that assistance will be useful to him, or whenever the damages demanded exceed five hundred dollars, he shall summon to sit with him on the hearing of the case not less than two nor more than three citizens of the United States, who shall be taken from a list previously submitted to and approved by the minister and who shall be of good repute and competent for duty. Every such associate shall note upon the record his opinion, and also, in case he dissents from the consul, such reasons therefor as he thinks proper to assign; but the consul shall give judgment in the case.—*R. S., sec. 4107.*

**224. Punishments.**—In the infliction of punishments on persons convicted in consular courts, consular officers will be governed by the provisions of



the statutes of the United States prescribed for similar offenses and will be careful that the sentence in each case is in conformity thereto. Consular courts have no power to banish American convicts to the United States or other countries, nor to send them to the United States to serve out their terms of imprisonment.—*1 Whart. Int. L. Dig., p. 805; 14 Op. Att. Gen., 522; 19 Op. Att. Gen., 377.*

**225. Execution of death penalty.**—The statutes provide that in case of a conviction entailing the death penalty, it shall be the duty of a minister to issue his warrant for the execution of the convict, appointing the time, place, and manner; but if the minister is satisfied that the ends of public justice demand it, he may from time to time postpone such execution. If he finds mitigating circumstances which authorize it, he may submit the case to the President for pardon.—*R. S., sec. 4103.*

**226. Requesting the President's views.**—As the provision of section 4103 of the Revised Statutes stands, it appears to make the diplomatic representative the sole judge of the propriety of extending Executive clemency to the convict. It was probably not the intent of Congress to bar the exercise of the President's power of pardon at the discretion of a diplomatic representative; and it would be manifestly improper, as well as of doubtful constitutionality, to do so in the possible case of convic-

tion being had before the officer whose duty it is made to execute the sentence. In cases coming under this statutory provision, the Department of State deems it advisable that the diplomatic representative should always regard the ends of public justice as requiring postponement of the execution until the case is reported and copies of the judgment and testimony are transmitted to the Department of State and the President's views in the premises have been received.

**227. Settlement of civil cases.**—It shall be the duty of the ministers and the consuls in countries in which they are invested with judicial authority to encourage the settlement of controversies of a civil character by mutual agreement or by submitting them to the decision of referees agreed upon by the parties; and the minister in each country shall prepare a form of submission for such cases, to be signed by the parties and acknowledged before the consul. When parties have so agreed to refer, the referees may, after suitable notice of the time and place of meeting for the trial, proceed to hear the case, and a majority of them shall have power to decide the matter. If either party refuses or neglects to appear, the referees may proceed *ex parte*. After hearing any case such referees may deliver their award, sealed, to the consul, who, in court, shall open the same; and if he accepts it, he shall indorse

the fact, and judgment shall be rendered thereon and execution issue in compliance with the terms thereof. The parties, however, may always settle the same before return thereof is made to the consul.—*R. S., sec. 4098.*

**228. Settlement of minor offenses.**—In all criminal cases which are not of a heinous character it is made lawful for the parties aggrieved or concerned therein, with the assent of the minister in the country or of the consul, to adjust and settle the same among themselves upon pecuniary or other considerations.—*R. S., sec. 4099.*

**229. Forms of proceedings.**—It is provided that the ministers, with the advice of the several consuls, shall prescribe the forms of all processes to be issued from the consular courts and the mode of executing and time of returning the same; the manner in which the trial shall be conducted and how the records thereof shall be kept; the form of oaths for Christian witnesses and the mode of examining all other witnesses; the costs to be allowed to the prevailing party and the fees to be paid for judicial services; the manner in which all officers and agents to execute process shall be appointed and paid; and the form of bail bonds and the security which shall be required from the party who appeals from the decision of a consul. And he shall make all further decrees and regulations from time to time that may

be necessary. It is the minister's duty, also, to establish a tariff of fees for judicial services to be paid by such parties and to such persons as he shall direct.—*R. S., secs. 4117-4120.*

**230. Publication of regulations.**—The statute further provides that all regulations, decrees, and orders shall be plainly drawn up in writing and submitted, as hereinbefore provided (paragraph 229), for the advice of the consuls, or as many of them as can be consulted without prejudicial delay or inconvenience, and such consul shall signify his assent or dissent in writing, with his name subscribed thereto. After taking such advice, and considering the same, the minister in each of those countries may nevertheless, by causing the decree, order, or regulation to be published with his signature thereto and the opinions of his advisers inscribed thereon, make it binding and obligatory until annulled or modified by Congress; and it shall take effect from the publication or any subsequent day thereto named in the act.—*R. S., sec. 4118.*

**231. Regulations to be transmitted to the Secretary of State.**—All such regulations, orders, and decrees shall, as speedily as may be after publication, be transmitted by the ministers, with the opinions of their advisers, as drawn up by them severally, to the Secretary of State, to be laid before Congress for revision.—*R. S., sec. 4119.*

**232. Usages.**—The forms and practice in each consular court have now become settled by usage. Each consul will conform to them. If defects in any part of the existing system be discovered, consuls should call the attention of the diplomatic representative of the United States to them. The power of directing a change is vested by law in that officer.—*R. S., secs. 4117-4120.*

**233. Evidence.**—In all cases, criminal and civil, the evidence shall be taken down in writing in open court under such regulations as may be made for that purpose; and all objections to the competency or character of testimony shall be noted, with the ruling in all such cases. The evidence so taken down shall be a part of the case.—*R. S., sec. 4097.*

**234. Appeals to minister.**—The minister is authorized to hear and decide all cases, criminal and civil, which may come before him on appeal and to issue all processes necessary to execute the power conferred upon him; and he is fully empowered to decide finally any case upon the evidence which comes up with it or to hear the parties further if he thinks justice will be promoted thereby. He may also prescribe the rules upon which new trials may be granted, either by the consul or by himself, if asked for upon sufficient grounds.—*R. S., sec. 4091.*

**235. Appeals to minister, when allowed.**—An appeal is allowed from the consul to the minister in the following cases:

In civil cases—

(a) When the consul sits with associates and any of them differ from him. If no appeal is lawfully claimed, the decision shall be final.—*R. S., sec. 4107.*

(b) In China and Japan, whenever the matter in dispute, exclusive of costs, exceeds five hundred dollars and does not exceed two thousand five hundred dollars.—*R. S., sec. 4092.*

In criminal cases—

(a) When the consul sits with associates and any of them differ from him. The case shall be referred to the minister for his adjudication.—*R. S., sec. 4106.*

(b) When the consul sits alone and the fine exceeds one hundred dollars or the term of imprisonment for the misdemeanor exceeds sixty days. The appeal may be either upon errors of law or matters of fact.—*R. S., sec. 4089.*

**236. Appeal to United States circuit court.**—An appeal is allowed from consuls in China and Japan directly to the United States circuit court for the district of California whenever the matter in dispute, exclusive of costs, exceeds two thousand five hundred dollars.—*R. S., sec. 4093.*

**237. Judgments of consuls final.**—The judgments of consuls are final in the following cases:

In civil cases—

(a) When the consul sits alone and the damages demanded do not exceed five hundred dollars.—*R. S., sec. 4107.*

(b) When the consul sits with associates and they concur with him; except that in China and Japan, if the matter in dispute exceeds five hundred dollars, exclusive of costs, an appeal is allowed.—*R. S., secs. 4092, 4107.*

In criminal cases—

(a) When the consul sits alone and the fine does not exceed one hundred dollars or the term of imprisonment for the misdemeanor does not exceed sixty days.—*R. S., sec. 4105.*

(b) When the consul sits with associates and they concur with him, except in capital cases.—*R. S., sec. 4106.*

**238. Appeal from minister.**—In China and Japan an appeal is allowed from the minister to the United States circuit court for the district of California (a) on any final judgment given in the exercise of original jurisdiction, when the matter in dispute, exclusive of costs, exceeds two thousand five hundred dollars; and (b) on any final judgment given in the exercise of original or appellate criminal jurisdiction, if the person charged with the

crime or offense considers the judgment erroneous in point of law. But such an appeal does not operate as a stay of proceedings, unless the minister certifies that there is probable cause to grant the same.—*R. S., secs. 4094, 4095.*

**239. Appeal record.**—The record on appeal from a consular court should include the pleadings, depositions, and all other proceedings in the case and show an allowance of the appeal. The transcript should be a single document, certified at the end as being a full and correct copy of the proceedings in the case and authenticated by the official signature and the seal of the consul.—*5 Sav., 79.*

**240. Marshals.**—It is the duty of marshals to execute all process issued by the minister of the United States or by the consuls at the port at which they reside, and to make due return thereof to the officer by whom it was issued, and to conform in all respects to the regulations prescribed by the minister in regard to their duties (*R. S., sec. 4112*). They shall also make quarterly returns to the Secretary of State, showing the nature of each case determined in the consular court, the proceedings in connection therewith, and the disposition of the fines and fees (Form No. 137, Consular Regulations of 1896, p. 785). The quarterly report of a marshal should be sent to the Department of State by the consul at the same time with other quarterly reports.



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DIPLOMATIC OFFICERS ACTING FOR FOREIGN  
STATES AND SUBJECTS.

**241.** Diplomatic representatives are sometimes requested to discharge temporarily the duties of those of other countries. It may be proper, as a matter of comity, to accede to such requests, but not (unless under urgent circumstances) until permission has been granted by the Department of State. Diplomatic representatives of the United States, however, are prohibited by the Constitution (Article I, section 9) from performing, without the consent of Congress, any duties for any foreign government which involve the acceptance of office from such foreign government.

NEGOTIATION OF TREATIES.

**242. Full powers.**—When a diplomatic representative of the United States is intrusted with the negotiation of a treaty or convention, a full power will be given to him.

**243. Provisional negotiations.**—In case of urgent need a written international compact between a diplomatic representative of the United States and a foreign government may be made in the absence of specific instructions or powers. In such cases it is preferable to give to the instrument the form of a simple protocol, and it should be ex-

pressly stated in the instrument that it is signed subject to the approval of the signer's Government.

**244. "Alternat."**—The diplomatic representatives of the United States will adhere to the principle of the "alternat" in all cases where they have occasion to sign any treaty, convention, or other document with the plenipotentiaries of other powers.

**245. Clerical form of treaties in two languages.**—For the convenience of diplomatic representatives who may be instructed or empowered to negotiate and sign a treaty or convention with the government of a country where a language other than English is officially employed, the following explanatory regulations touching the clerical preparation of such instruments are given:

(a) The texts in the two languages should be engrossed in parallel columns on the same page, if possible, or on opposite pages of the same sheet. Two separate copies in different languages are not advisable, although this expedient is sometimes resorted to in eastern countries.

(b) In the copy of the treaty to be retained by the diplomatic representative for transmission to this Government, the United States should be named first throughout both texts in all places where the alternative change may be made conveniently. Con-

versely, in both texts throughout the copy the foreign government is to retain it should be first named.

(c) The language of the respective government should always occupy the left-hand place in the copy to be delivered to it.

(d) The utmost care should be taken to insure the substantial equivalence of sense of the two texts, so as to exclude any erroneous effect due to translation. Though a strictly literal translation is often harsh and sometimes impossible, the absolute identity of the idea conveyed is indispensable. To this end, the punctuation of the two texts should also be attentively scrutinized and brought into substantial conformity.

**246. Exchange of ratifications.**—Inasmuch as in this country the pleasure of the Senate must be known before a treaty can be ratified, and as delays may accordingly supervene, it is the preference of this Government that it be provided that the ratification and the exchange of ratifications shall be effected “as soon as possible,” rather than within a specified time.

#### EXTRADITION OF FUGITIVES FROM JUSTICE.

**247. Requisitions for extradition.**—The United States have treaties with most foreign powers providing, within specified limitations, for the extradi-

tion of fugitives from justice upon the demand of the state from which the fugitive has fled.

**248. By whom demand is to be made.**—The demand, or requisition, for extradition is usually presented by a diplomatic representative of the demanding government where there is such a representative in the country of refuge. In the absence of a diplomatic representative, it is provided by some of the treaties that the requisition may be presented by “consular officers,” “superior consular officers,” or “the superior consular officer.”

**249. Consular officers applying for extradition.**—In case a consul is charged with the duty of applying for extradition, he may expect to receive instructions from the Department of State or from the diplomatic representative. In the absence of instructions from the Department of State or the diplomatic representative, a consular officer is not authorized to intervene in extradition matters, nor to ask for the arrest and detention of a fugitive.

**250. Authenticating foreign extradition papers.**—The act of August 3, 1882, prescribes the manner in which documentary evidence offered by foreign governments in support of requisitions for the extradition of criminals from the United States shall be authenticated. The language of the statute is as follows:

“That in all cases where any depositions, warrants,

or other papers or copies thereof, shall be offered in evidence upon the hearing of any extradition case under Title sixty-six of the Revised Statutes of the United States, such depositions, warrants, and other papers, or the copies thereof, shall be received and admitted as evidence on such hearing for all the purposes of such hearing if they shall be properly and legally authenticated so as to entitle them to be received for similar purposes by the tribunals of the foreign country from which the accused party shall have escaped, and the certificate of the principal diplomatic or consular officer of the United States resident in such foreign country shall be proof that any deposition, warrant or other paper or copies thereof, so offered, are authenticated in the manner required by this act."—*22 Stat. L.*, 216; *22 Fed. Rep.*, 699; *30 Fed. Rep.*, 57; *33 Fed. Rep.*, 165; *44 Fed. Rep.*, 483; *136 U. S.*, 330.

The greatest care should be exercised in making the authentication provided for in the act above quoted. The form of such certificate (Form No. 36), a copy of which is hereto appended (see page 155), has been tested by actual use and found to be legally sufficient.

#### IMMIGRATION TO THE UNITED STATES.

**251. Classes of aliens excluded.**—The following classes of aliens are excluded from admission

into the United States in accordance with the existing acts of Congress (*18 Stat. L.*, 477; *23 Stat. L.*, 332; *26 Stat. L.*, 1084) regulating immigration:

(a) Chinese laborers. (See also Consular Regulations of 1896, paragraphs 368–374.)

(b) Foreigners and aliens under contract or agreement made previous to their departure from the foreign country to perform labor or service of any kind in the United States, except as specified in section 5 of the act of February 26, 1885, as amended by section 5 of the act of March 3, 1891.

(c) All idiots and insane persons.

(d) Paupers or persons likely to become a public charge.

(e) Persons suffering from a loathsome or a dangerous contagious disease.

(f) Persons who have been convicted of a felony or other infamous crime or misdemeanor involving moral turpitude. This does not apply to persons convicted of a political offense, but does include those whose sentence has been remitted upon condition of emigration.

(g) Polygamists.

(h) Any person whose ticket or passage is paid for with the money of another or who is assisted by others to come, unless it is affirmatively and satisfactorily shown on special inquiry that such person does not belong to one of the foregoing excluded classes.

(2) Women imported for purposes of prostitution.

**252. Diplomatic representatives' duties.**—Diplomatic representatives are enjoined to exert active vigilance to prevent the deportation of these persons, and, should they depart for the United States, notice thereof should be given immediately, that they may be stopped before landing.

**253. Diplomatic representative may protest.**—The shipping of persons known to be paupers or criminals to the United States is regarded as a violation of the comity which ought to characterize the intercourse of nations and should be prevented by every proper measure.

#### TESTIMONIALS FOR THE RESCUE OF SHIPWRECKED AMERICAN SEAMEN.

**254. Testimonials for saving life at sea.**—Congress makes annual provision to enable the President to award suitable testimonials in deserving cases where foreign shipmasters or crews of foreign vessels may have shown humanity or bravery, with risk of life, in the rescue of shipwrecked American seamen or the relief of American vessels in distress at sea.

**255. Meritorious cases to be reported.**—It is the duty of diplomatic representatives to report to the Department of State any instances which

may come to their knowledge of acts of humanity and courage shown to shipwrecked American seamen by shipmasters or subjects of a foreign state. Such reports should give all accessible particulars necessary to reach a decision upon the propriety of awarding testimonials; and the names of the deserving parties should, if possible, be accurately ascertained.

**256. Caution.**—In no case shall a diplomatic representative take it upon himself to pledge the Government of the United States to any form of recognition.

#### INFORMATION RELATING TO NAVIGATION.

**257. Light-houses, buoys, etc.**—Diplomatic representatives are expected to report all matters that may come to their knowledge affecting the navigation of waters in the countries in which they reside, or that may be of public interest or advantage. All notices of the erection of new light-houses, removals or changes in those established, the discovery or survey of shoals and reefs, changes in channels, the fixing of new buoys and beacons, and all subjects that concern the interests of navigation should be communicated promptly to the Department of State.

**258. Two copies of notices.**—If published notices are sent, two copies should be furnished;



and if they are in a foreign language, they should, when practicable, be accompanied by translations.

#### FORMS.

**259. Forms appended hereto.**—A number of forms adapted to the transaction of the current business of a diplomatic mission are appended (see pages 155–183). These forms should be strictly followed in all cases.

**260. Other forms.**—Other forms suitable, with slight alteration, for use in diplomatic business will be found in Appendix No. VI of the Consular Regulations of 1896, pages 701–819. When necessary, printed copies of any of these forms will be sent to diplomatic representatives.

#### LEAVES OF ABSENCE.

**261. Kinds of leaves.**—Leaves of absence are of two kinds—simple leave and leave with permission to visit the United States. The character of the leave desired must be distinctly expressed in the application. Both classes of leave are subject to the statutory conditions alluded to in paragraph 265. When leave of absence is granted to return to the United States, the term is computed from the day of arrival in the United States to the day of departure therefrom; but a reasonable time in addition is allowed for going to and returning from the officer's place of residence, provided a visit to his residence

is made, but not otherwise. The transit allowance mentioned in section 1742 of the Revised Statutes, and for which the allotted times are scheduled in these Instructions (see paragraphs 293, 294), is a maximum allowance to cover delay for any cause.

**262. Travel while on leave.**—The concession, during leave of absence, of any transit time for travel other than to and from the United States can not be granted under the statute.

**263. Leaves of absence not cumulative.**—In case leave of absence is not asked for or granted, or, if granted, not availed of, in any one calendar year, the term for which such leave might have been granted can not be added to the leave of a subsequent year.

**264. Compensation while on leave.**—Although the time for which leave of absence may be granted is discretionary, the time during which compensation may be paid, under the statute, is not.—*R. S., sec. 1742.*

**265. Limitation of absences.**—It is the evident intent of Congress, as expressed in the statute (*R. S., sec. 1742*), that diplomatic officers should not be absent from their posts more than sixty days in any one year, with the additional time necessary for transit to and from their places of residence, should they return to the United States, and that if they are absent more than that time they shall not receive compensation for such additional period.

**266. Temporary residence elsewhere than at capital.**—The Department of State does not regard the statute (*R. S., sec. 1742*) as requiring diplomatic representatives to reside throughout the year at the seat of government. There are long periods in every year when, by reason of the departure of the principal members of the government from the capital or from other causes, the public interests will not suffer should a diplomatic representative reside temporarily at some other place in the same country. But in such case it is expected that the office of the mission will be daily opened as usual for the transaction of business by a secretary thereof, and that the diplomatic representative will fix his place of residence at some near and convenient point within the territories of the power to which he is accredited, whence he can without delay visit the mission whenever necessary and can at any moment be reached by telegraph; and he will, in such case, report to the Department of State the place where he thus establishes himself, the day of his departure from the seat of government, and the day of his return thereto. With this exception, a diplomatic representative will be regarded as at his post only when he is at the seat of government.

**267. Absence for ten days.**—When a diplomatic officer is absent from his post for a period exceeding ten days at any one time, without permission

previously obtained from the President through the Department of State, no portion of the salary or compensation of the office will be allowed for any time in excess of the ten days, unless the propriety and necessity of the absence shall be made clear to the Department (*R. S., sec. 1741; 18 Stat. L., 77*). It is understood that the provision in regard to an absence of ten days was intended to meet those cases of sudden emergency which allow no sufficient time for communicating, even by telegraph, with the Department and in which some serious detriment is likely to occur before a formal application can be acted upon. It is not to be assumed that an unauthorized absence of ten days can be taken as a matter of course.

**268. Applications to be made by mail.**—Applications for leaves of absence must be made by mail, and when replies to such applications are requested to be made by telegraph a sufficient reason must be given for the request. If the request be complied with, the expense of the reply will be chargeable to the officer soliciting it.

**269. Absences to be reported.**—Diplomatic representatives must report to the Department of State, as they occur, all absences from their respective posts (as the post is defined in paragraph 266) exceeding forty-eight hours, whether by leave or otherwise; and all such absences are to be regarded

as a part of the sixty days for which salary may be received while the officer is absent during any one year. Accounts and certificates of absence for the use of Treasury officials are to be made to conform to paragraph 304.

**270. Transit while on leave.**—The provisions laid down in the statute with respect to original transit to a post of duty (*R. S., sec. 1742*) are in like manner applicable to the transit journey to and from the United States while on leave of absence with express permission for such visit (see also paragraph 294). Permission to visit the United States can never be implied.

**271. Absence of transferred officers.**—An officer ordered to another post of duty may solicit leave of absence, with or without permission to return to the United States, before proceeding to his new post. In no case can such leave, if granted, extend beyond the date when the vacancy created by the diplomatic officer's departure is filled by the arrival of his successor at the vacated mission or beyond the term of sixty days in any one calendar year, as already explained (paragraphs 264, 265).

#### TERMINATION OF MISSION.

**272. Right to resign.**—A civil officer has a right to resign his office at pleasure, and, to take effect, it is only necessary that the resignation should be

received by the President (*United States vs. Wright, 1 McLean, 509*). This rigid construction is, however, not adhered to in practice in the case of diplomatic officers, and a conventional date is assigned when a resignation shall be deemed to take effect.

**273. Resignation, how tendered.**—A diplomatic officer's resignation should always be tendered to the President, but the letter tendering such resignation should be addressed to the Secretary of State. The telegraph should not be resorted to except in case of emergency.

**274. When resignation takes effect.**—Resignation while at one's post is always understood to take effect on the officer being relieved by his successor. If desired to take effect sooner, the circumstance should be stated in the letter of resignation and be so accepted before the incumbent quits his post.

**275. Resignation while on leave in the United States.**—Resignation while on leave of absence in the United States is understood to take effect from the date of its acceptance.

**276. Resignation while absent from post.**—If the diplomatic representative tender his resignation while absent from his post on leave of absence, but not in the United States, it is understood, unless otherwise stated, that he will return to his mission on the termination of his allotted leave of absence and await the arrival of his successor; but if his

successor reach the seat of the mission before the termination of the representative's leave of absence, his resignation and his leave of absence take effect and determine on the entrance of his successor upon the duties of his office by presentation of his letter of credence.

**277. Resignation at end of leave.**—If a diplomatic officer, having received leave of absence (with or without permission to return to the United States), tender his resignation to take effect at the expiration of his leave of absence, it may be so accepted, provided the demands of the public service do not require that the vacancy be sooner filled; and, if so filled, the retiring officer's leave shall be held to terminate thereby.

**278. Recall.**—A recall is usually accomplished at the pleasure of the President, during a session of the Senate, by sending to that body the nomination of the officer's successor. Upon the confirmation and commission of his successor, the original incumbent's official functions cease. He is, however, expected to remain at his post until duly relieved. If circumstances require otherwise, the case must be governed by the special instructions of the Secretary of State.

**279. When functions cease.**—In any case, a diplomatic officer's official functions do not cease until he has received notification of the appointment

of his successor, either by specific instruction from the Department of State or by the exhibition of his successor's commission.—6 *Op. Att. Gen.*, 87.

**280. Recall while on leave.**—A diplomatic officer may be recalled while on leave of absence and his successor appointed as above (paragraph 278). In such case, his incumbency, and with it his leave of absence, ceases on the receipt by him of official notification of the fact.

#### RETIREMENT AND RETURN TO THE UNITED STATES.

**281. Unexpended balances.**—In case a diplomatic representative is relieved, or his mission is terminated before the end of the quarter for which he may have drawn on account of the amount allowed to his mission for contingent expenses and rent, he shall turn over any unexpended balance remaining in his hands to his successor or to the person left in charge of the mission, taking his receipt therefor in duplicate to accompany his final account (see paragraph 341). In the event of the mission itself being closed or suspended for any cause during a current quarter, such amount should be returned to the bankers in London if the diplomatic representative is authorized to draw upon them; otherwise, to the Department of State.

**282. Temporary charge of mission.**—A retiring diplomatic representative has no authority to in-



stall a consular officer in charge of a mission, unless expressly authorized by the President so to do (5 *C. C. Reps.*, 430); nor can the consular officer receive the pay provided by law for a chargé d'affaires, unless he be especially accredited in that capacity (*R. S.*, sec. 1738). It is not unusual, however, for a consular officer to be temporarily charged with the custody of the archives and property of a mission. This circumstance does not invest him with any diplomatic character or functions, and no allowance will be made to him except for the necessary expenses of such custody.

**283. When official duties cease.**—The official duties of a retiring diplomatic representative, and also the regular salary to which he is entitled while at his post of duty, cease on the day of presentation of his letter of recall to the chief of the state, or, in the case of a commissioned chargé d'affaires, to the minister for foreign affairs. If for any reason he should not be able to present his letter of recall in formal audience of leave-taking, his duties and salary cease on taking his departure from the seat of the mission, unless sooner relieved by his successor.

**284. Transit.**—The conditions of transit of a retiring diplomatic officer from his post to his home in the United States are the same as prescribed for the transit of an outgoing officer (see paragraphs 293, 294); and the schedule of allotted time within

which such transit may be made with salary is the same, with addition of the time required for the journey by the shortest and most direct mode of conveyance from Washington to the officer's residence in the United States.—*18 Stat. L.*, 70, *sec. 4.*

**285. Homeward transit.**—Salary for the period covered by the homeward transit of an officer returning from his post in good standing is not paid unless the journey be actually performed within a reasonable period after the close of his service abroad. The account therefor is presented and adjusted in the United States and, upon being audited and found correct, is paid at the Department of State, thus closing the officer's accounts connected with the mission from which he retires.

**286. Final settlement of accounts.**—If any balance, on final adjustment of his accounts, be found due from a retiring diplomatic officer to the Government of the United States, it will be offset against the compensation due him for the time occupied by the homeward transit.

**287. Free entry of effects.**—Diplomatic officers returning home at the expiration of their service abroad have no special authority of law to introduce their personal effects free of duty and without examination. It is customary, however, for the Secretary of the Treasury, on due application being made by the returning officer through the Secre-

tary of State, to grant the admission of the household effects and personal property in use by the officer during his official residence abroad. In applying for such privilege, the officer should state the name of the vessel in which his effects are to arrive. It is not customary to ask or grant such privilege to diplomatic officers who merely come to the United States on transient leave.

**GENERAL PROVISIONS RELATING TO ACCOUNTS.**

**288. To be stated in the currency of the United States.**—All accounts of diplomatic officers, like their drafts, must be stated in the currency of the United States, not in foreign money of account or currency. (See paragraph 342).

**289. To be made quarterly.**—All accounts (except the final account, the accounts for salary while awaiting instructions and while going to the post, and the monthly account for telegrams) must be rendered at the close of the calendar quarter, viz, on the 31st of March, 30th of June, 30th of September, and 31st of December. If not rendered on the day assigned, the Department of State must be advised of the reason for the delay; and the accounts must be forwarded by the earliest possible mail, the duplicates following the originals by a later mail.

**290. Accounts required to be kept.**—Diplomatic representatives are required to keep the fol-

lowing general accounts: (*a*) Salary; (*b*) contingent expenses; (*c*) telegrams; (*d*) loss by exchange. In case a special account for any other purpose is opened by order (as, for instance, for the arrest or extradition of a criminal), that account will be kept separate and a separate return thereof made. Expenditures incurred for or upon request of any other Executive Department shall not be included in any account against the Department of State, but must be transmitted through the Department of State, following in this respect the general rule regarding correspondence with other Departments (paragraph 104).

**291. Dispatches not numbered.**—Dispatches forwarding quarterly accounts or transmitting advice of drafts should not be numbered. All quarterly accounts and returns should be transmitted under cover of one dispatch when practicable. (See also paragraph 76.)

#### **SALARY ACCOUNTS.**

**292. Salaries.**—Ambassadors, envoys extraordinary and ministers plenipotentiary, ministers resident, and secretaries of embassies and legations are entitled to compensation at the rate of their respective salaries, as follows:

(*a*) Beginning not prior to the date of the oath of office, for the time occupied in receiving instructions

in the United States, not exceeding thirty days.—  
*R. S., sec. 1740.*

(*b*) For the time actually and necessarily occupied in transit, by the most convenient route, between the places of their residence and their posts, not, however, to exceed the time fixed in paragraph 294. This provision extends to the time after arrival at their posts while awaiting opportunity to present their letters of credence. It also applies both to transit from the United States and to transit to the United States at the termination of service, unless the officer dies, or is recalled for malfeasance, or resigns in anticipation of such recall (see paragraphs 314–316). The time during which a diplomatic officer may be unavoidably detained at his post while waiting for a conveyance to the United States after delivering up his office may be included in his home transit so far as not to exceed in all the maximum time in said paragraph 294. In the event that the appointee is not in the United States at the time of appointment and receives his instructions while abroad, no allowance of salary will be made for the period so occupied, but only so much of the prescribed time allowed for transit as shall be actually and necessarily occupied in reaching his post of duty (see paragraph 297).

(*c*) From the date of entry upon duty at their

posts to the date when they cease to perform the duties of the office.

**293. Transit periods not to be exceeded.**—The Secretary of State is authorized to establish, determine, and make public the maximum amount of time actually necessary to make the transit between each diplomatic post and the city of Washington, and vice versa, and from time to time revise his decision in this respect; and the allowance for time actually and necessarily occupied by each diplomatic officer who may be entitled to such allowance shall in no case exceed that for the time thus established and determined, with the addition of the time usually occupied by the shortest and most direct mode of conveyance from Washington to the place of residence in the United States of such officer.—*18 Stat. L.*, 66.

**294. Maximum transit periods.**—The following is established, determined, and made public as the maximum amount of time actually necessary to make the transit between each diplomatic post in the countries named and the city of Washington, going or coming:

Argentine Republic (Buenos Ayres), forty-five days.

Austria-Hungary (Vienna), thirty days.

Belgium (Brussels), twenty days.

Bolivia (La Paz), fifty days.

Brazil (Petropolis), forty days.

Central American states (to the seats of the several missions), thirty days.

Chile (Santiago), forty-five days.

China (Peking), sixty days.

Colombia (Bogotá), thirty-five days.

Denmark (Copenhagen), twenty-five days.

Ecuador (Quito), forty-five days.

Egypt (Cairo), thirty-five days.

France (Paris), twenty days.

Germany (Berlin), twenty-five days.

Great Britain (London), twenty days.

Greece (Athens), thirty-five days.

Hawaii (Honolulu), thirty-five days.

Haiti (Port-au-Prince), fifteen days.

Italy (Rome), thirty days.

Japan (Tokyo), forty days.

Korea (Seoul), sixty days.

Liberia (Monrovia), forty days.

Mexico (City of Mexico), eighteen days.

Netherlands (The Hague), twenty days.

Persia (Teheran), sixty-five days.

Peru (Lima), forty days.

Portugal (Lisbon), thirty days.

Russia (St. Petersburg), thirty days.

Siam (Bangkok), sixty days.

Spain (Madrid), twenty-five days.

Sweden and Norway (Stockholm), twenty-five days.

Switzerland (Berne), twenty-five days.

Turkey (Constantinople), forty days.

Uruguay and Paraguay (Montevideo), forty-five days.

Venezuela (Caracas), twenty-five days.

**295. No outfit or advance.**—No advance of salary or allowance in the nature of an outfit is made either for a diplomatic officer or for his family, nor is transportation furnished by the Government.

**296. Transit to a seat of government temporarily changed.**—The periods prescribed in the foregoing table are determined for the journey to and from the usual seats of missions at the capitals of the respective countries. In case the seat of the government or the residence of its executive head is temporarily elsewhere than at the national capital, the fact should be reported to the Department of State for instructions.

**297. Appointments of persons not in the United States.**—A person appointed to a diplomatic post while residing, traveling, or sojourning abroad shall refrain from drawing salary or rendering accounts covering transit period until, after reporting to the Department of State the facts necessary to an understanding and decision of the matter, he shall receive the instructions of the Secretary of State. His regular salary will, however, begin from the date of his entrance upon the dis-



charge of his official duties and be available without further special instructions.

**298. Appointment to another post.**—In the event of a diplomatic officer already at his post being appointed to another mission, that circumstance of itself gives him no right to home transit, to leave of absence, or to allowance other than that of direct transit-time allowance in proceeding from his former post to his new one. Though the Secretary of State may, in his discretion, order a diplomatic officer so transferred to come to Washington to receive instructions, yet the officer may be instructed to proceed directly to his new post; and any failure to comply with the orders of the Department of State in this respect will subject the officer to loss of salary during any time when he shall not be at either post or in transit by the most usual and direct mode of conveyance from one to the other. Salary during such time of direct transit will be computed on the basis of the salary of the post to which the diplomatic officer is proceeding, and he will render his accounts and draw therefor on arrival at his new post.

**299. Transit by way of the United States.**—If the usual and quickest means of transit oblige a transferred diplomatic officer to pass through the United States on his way from his late post to his new one, and he be under orders to make the tran-

sit directly and without leave of absence, the fact of the officer's passage through the United States will not be considered as a "visit" to the United States or as dividing the total time of transit into two periods of homeward transit and transit to his new post; but his journey will be regarded as embracing one transit only, to be performed with all expedition and to be accounted for as hereinbefore prescribed (paragraph 294). In such case, the officer shall not prolong his stay in the United States or deviate from the usual route of travel between the two posts without the express authorization of the Secretary of State.

Should a diplomatic officer so transferred visit the United States, either on leave duly granted or under express instructions from the Department of State, his salary during the homeward transit, not to exceed the limits hereinbefore prescribed (paragraph 294), will be paid on the basis of the office he vacates and will be adjusted and settled at the Department of State in like manner as any other homeward transit (see paragraph 285).

If the officer be ordered to report in Washington for instructions, he will be compensated for the time actually and necessarily employed in receiving them, not to exceed the statutory limit of thirty days, on the basis of the salary attached to his new post (*R. S., sec. 1740*). His transit allowance to his new

post, after he shall have received instructions, will be as prescribed in the rules hereinbefore laid down (paragraph 294).

**300. Passage in naval vessels.**—Passage in a naval vessel is sometimes accepted by or ordered for diplomatic representatives of the United States. It is not expected that in any such case the commander of the vessel shall be chargeable with the additional expense which he may thereby incur. Consequently, before embarking in any such vessel, the diplomatic representative should come to an understanding upon the subject with the commander and will himself be expected to defray the additional expense, unless he shall have been previously authorized by the Department of State to make a separate charge therefor against the Government.

**301. When salary at post begins.**—So far as the diplomatic representative's relations to his own Government are concerned, his allotted time of transit is held to cease, and his regular term of office for which he is entitled to receive salary is deemed to begin, on the day upon which he presents his letter of credence.

**302. Stating salary account.**—The first salary account will be stated for the time, not exceeding thirty days, during which the diplomatic officer is receiving his instructions. This account should be

submitted and the draft drawn before departure. No allowance of salary, however, on account of time occupied in receiving instructions is made when the appointee is out of the United States at the time of appointment. Salary begins at the date of the oath of office. A separate account must be stated for the time occupied in transit from the residence of the diplomatic officer to his post of duty, including, in case of a diplomatic officer appointed as the head of a mission, the time after arrival at the post of duty while awaiting opportunity to present his letter of credence. Accounts for salary while at his post of duty must be rendered at the close of each calendar quarter. The final account should be accompanied by a dispatch stating the time actually and necessarily occupied in transit from the post of duty to the place of residence of the officer. The allowance of salary in such case is never granted till the transit has been made, and will not be allowed unless the transit takes place within a reasonable time after being relieved. In no case do the periods allotted for receiving instructions and for transit to the seat of the mission overlap one another; neither can the transit allowance overlap the regular salary at the post of duty. During no one period of time can a diplomatic officer receive more than a single rate of salary, except in the cases referred to in paragraphs 307 and 308.

**303. Salary during absence.**—It is provided by law (*R. S., sec. 1742*) that no diplomatic officer shall receive salary for the time during which he may be absent from his post, by leave or otherwise, beyond the term of sixty days in the aggregate in any one year; but that the time equal to that usually occupied in going to and from the United States, in case of the return on leave of such officer to the United States, may be allowed in addition to the sixty days. The year referred to is declared to be the calendar year. A salaried officer may accordingly receive the salary of his office for sixty days while absent from his post on leave, and also for the time of transit both to and from his residence, in case he visits the United States. The concession during leave of absence of any transit time for travel other than to and from the United States is impossible under the statute.

**304. Absences to be reported.**—Each quarterly account for salary must be accompanied by a statement certified by the officer and showing the absences from his post during the quarter, whether by leave or otherwise. All absences from his post exceeding forty-eight hours, whether by leave or otherwise, must be reported by a diplomatic officer to the Department of State as they occur and are to be regarded as a part of the sixty days for which salary may be received while absent during any one

year. If there be no absences during the quarter, a certificate of nonabsence should accompany the quarterly account. (See paragraph 269.)

**305. Leave of absence discretionary with the President.**—The statute (*R. S., sec. 1742*) limits the period of a diplomatic officer's absence from his post, but it does not entitle him to leave of absence each year. The President, acting through the Secretary of State, will determine in each case whether the diplomatic officer may be granted leave of absence.

**306. Applications for leave of absence.**—Every application for leave of absence must contain a statement of the number of days the diplomatic officer has been absent from his post during the previous twelve months and whether with or without leave; referring by number and date, if with leave, to the instruction granting it. Every such application must state specifically whether the applicant wishes to come to the United States.

**307. Persons filling two offices.**—Section 1686 of the Revised Statutes provides that when to any diplomatic office held by any person there is superadded another, such person shall be allowed additional compensation for his services, in such superadded office, at the rate of fifty per centum of the amount allowed by law for such superadded office. It applies when a lawfully salaried diplomatic officer

at one post is authorized and accredited to perform the duties of another post for which provision is likewise made by law; in which case the statute further allows transit time between the two posts at the same rate of fifty per centum of the salary of the superadded office.

**308. Superadded offices at same mission.—**

The provisions of the statute above referred to (*R. S., sec. 1686*) apply in case of an officer at a mission authorized and required to discharge, in addition to his regular functions, the duties of another office at the same mission, except where the offices of secretary and interpreter are distinct and either officer performs the duties of the other. In either case the instructions of the Department of State should be awaited before drawing for the compensation allowed for the superadded office and rendering account therefor.

**309. Chargé d'affaires ad interim.—**The provision of section 1686 of the Revised Statutes does not apply to a secretary of embassy or legation acting ex officio as chargé d'affaires ad interim, as it is distinctly understood that whenever a secretary shall act as chargé d'affaires ad interim this circumstance will not give him any other claim to compensation than that provided for the contingency by act of Congress. The compensation provided by act of August 18, 1856 (*R. S., sec. 1685*), is in lieu of his salary as

secretary of embassy or legation, which, under that act, ceases during the time he shall so act as chargé d'affaires ad interim.

**310. Accounts of a chargé d'affaires ad interim.**—A secretary of embassy or legation acting as chargé d'affaires ad interim will submit to the Department of State separate accounts at the end of such term of temporary charge, or, if this extend beyond the last day of a regular quarter, he shall render a like account for the partial periods to the end of the first quarter and from the beginning of the succeeding quarter; and, when approved, a special authorization to draw therefor will be given him. If, however, his necessities require, he can, while acting as chargé d'affaires ad interim, draw against his account as chargé d'affaires on the Secretary of State and discontinue the practice of drawing on the bankers or on the Department of State for his salary as secretary of embassy or legation; and at the end of the quarter, or of his temporary incumbency, on the approval of his accounts, special authority to draw will be given him for such further sum as may then be found due.

**311. Extra compensation to the second secretary.**—In the absence of the secretary of embassy or legation, the second secretary, when there is one, is not entitled to any compensation beyond the salary fixed by law for his office for acting in place



of, or performing the official duties assigned to, the secretary; but, in the event of the absence, death, or disability of both the head of the mission and the secretary, his compensation while chargé d'affaires ad interim will be as prescribed in the case of a principal secretary of embassy or legation (see paragraph 309).

**312. Compensation when consul performs diplomatic duties.**—The provisions of section 1686 of the Revised Statutes do not apply to a consul performing diplomatic duties. For such time as a consular officer may, under instructions, perform diplomatic functions in the absence of the diplomatic representative, he is entitled, in addition to his compensation as such consular officer, to receive compensation for his diplomatic services at the rate allowed by law for a secretary of embassy or legation in such country. In countries in which the United States have no diplomatic representative a consular officer is not authorized to prefer any claim for extra compensation for the services that may partake of a diplomatic character, whether performed under the direction of the Department of State or otherwise. In case, however, expenses are incurred in carrying out the instructions of the Department of State, such expenses will be reimbursed if found proper on examination.—*R. S., sec. 1739.*

**313. Representation at two or more missions.**—In some instances a single person is accredited as the diplomatic representative of the United States to two or more foreign governments. In such case the capital of one of the countries is designated by the President as the official residence of the representative, and the time allotted for transit is computed up to the date of his arrival at that capital. Should the representative thereafter, in the performance of his official functions, be called upon to visit the seats of government of the other country or countries to which he is accredited, no special time allowance for transit is prescribed; but he will conform to the specific instructions of the Department of State as to any allowance for traveling expenses.

**314. Resignation or recall for malfeasance.**—A diplomatic officer will not be entitled to the compensation of his office in case he is recalled for malfeasance, or resigns in anticipation of such recall, except to the date of such resignation or of the receipt by him, or at the mission, of the notification of his recall. In neither case will compensation be allowed for the time occupied in transit to the United States. The right is reserved in any such case to direct the retention of any part or the whole of the compensation and of any sum due to such officer if the circumstances are deemed

to justify that course.—*R. S., sec. 1740; 9 Op. Att. Gen., 91.*

**315. When held to resign for malfeasance.**—A diplomatic officer is held to resign for malfeasance in office when specific charges are laid against him and he offers his resignation without attempting to meet the charges or after having responded to the charges unsatisfactorily. He is also held to resign under charge of malfeasance if his resignation be tendered during the progress of an investigation duly ordered, or before such investigation shall have established his innocence of the charges, or after his guilt thereof shall have been established, or if he tender his resignation knowing that charges of malfeasance have been preferred against him, or an investigation of his conduct has been duly ordered, and with intent to escape or evade the consequences of such charges or investigation.

**316. When recall for malfeasance is effective.**—The recall of a diplomatic officer for malfeasance in office is effected during a session of the Senate, in like manner as a simple recall, by sending to that body the nomination of his successor. It becomes effective in like manner upon the arrival of his successor; unless, upon the confirmation of a successor by the Senate, the President shall direct the recalled officer to quit his post forthwith, in which case his right to compensation

ceases on the receipt by him of the notification of recall.

**317. Office not abolished by failure of appropriation.**—The failure of Congress to make appropriation for the support of a diplomatic officer is not held to be an abolition of the office itself. Although the right to receive the salary attached to the office ceases with the expiration of the term for which the previous appropriation was made, an officer may, if he accepts the arrangement, be directed by the President to remain at his post and discharge its duties, without any claim to compensation unless Congress shall at any time so provide. No compensation in lieu of salary can be made to a diplomatic officer under such circumstances from any other item of appropriation.

**318. Transit compensation upon failure of appropriation.**—A diplomatic officer quitting his post under orders, on the failure of Congress to make provision for his office, and returning to his home in the United States will be allowed compensation at the rate of the salary formerly attached to the office during his homeward transit, within the prescribed limits of the authorized schedule of transit time in paragraph 294.

**319. Suspension of diplomatic relations.**—The suspension of diplomatic relations, although it implies the withdrawal of the mission and the cessa-

tion of the diplomatic representative's functions with the government to which he is accredited, does not necessarily involve the termination of his office so far as his own Government is concerned. He may be deemed to retain his office at the pleasure of the President. No fixed rule, however, can be laid down to meet the possible phases of the contingency, and the President consequently reserves the determination of the diplomatic agent's tenure of office in accordance with the circumstances of the case.

**320. Compensation ceases with death.**—When a diplomatic officer dies while holding office, his salary or compensation ceases on the day of his death.

**321. Allowance to widows.**—The statute provides that whenever a diplomatic officer of the United States dies in a foreign country in the discharge of his duty, there shall be paid to his widow, or, if no widow survive him, then to his heirs at law, a sum of money equal to the allowance now made to such officer for the time necessarily occupied in making the transit from his post of duty to his residence in the United States.—*R. S., sec. 1749.*

#### CONTINGENT EXPENSES.

**322. Accounts for contingent expenses.**—As the diplomatic representative is alone empowered by letter of credit to draw the allowance for con-

tingent expenses of his mission, he is responsible for its disbursement, and the accounts therefor must be signed by him.

**323. During representative's absence.**—If a diplomatic representative at a mission where there is a secretary go away on leave of absence, intending to return, he is expected to leave with the secretary sufficient funds from his unexpended allowance for contingent expenses to defray the current expenses of the office. This is necessary, as the *chargé d'affaires ad interim* can not draw against the representative's credit for contingent expenses. The accounts for contingent expenses, however, are not to be rendered by the *chargé d'affaires*, but should either be sent to the representative, while on leave of absence, for his signature or should preferably be held to await his return to his post. (See paragraph 345.)

**324. Duplicate accounts to be transmitted.**—All accounts should be transmitted to the Secretary of State in duplicate, each copy by a different mail, to guard against delay by loss or miscarriage. Exact vouchers in all cases of expenditure will be required and, when in a foreign language, must be accompanied by English translations; but, as contingent expenses are sometimes incurred under circumstances not admitting of a regular voucher for every item, a separate account of these should be kept

and certified by the diplomatic representative rendering the account.

**325. Rent.**—It is the custom of the Department of State to make an allowance to diplomatic representatives for rent of offices (*R. S., sec. 1706*). Where the office rooms devoted to the business and archives of the mission are situated in the residence of the diplomatic representative, a moderate allowance is made to him, to an amount deemed sufficient to defray the proportionate rental of the rooms devoted to business purposes as compared with the rental paid for the whole dwelling. This allowance is not intended as a contribution toward the representative's personal expenses of living, but simply as an adequate and equitable arrangement.

**326. Stationery.**—Diplomatic representatives are allowed such stationery as may be used in their official correspondence only. This is usually furnished by the Department of State. At any mission, however, necessary articles of stationery may be bought, if they can be obtained at reasonable rates, within the limits of the allowance for contingent expenses. In making requisitions upon the Department, care should be taken to state what kind of stationery is wanted, using the numbers affixed to the various articles in the schedule of stationery issued by the Department (see page 183); and the quantity of each kind should be indicated.

**327. Furniture.**—It is expected of diplomatic representatives that their offices be suitably and respectably furnished. In all cases, before incurring expense for furniture, diplomatic representatives shall obtain the sanction of the Department of State; and in their applications they will be careful to state the articles required and the estimated cost of each.

**328. Annual furniture schedules.**—At the end of each fiscal year diplomatic representatives shall transmit to the Department of State a schedule, to be known as the "Annual furniture schedule," which shall contain, item by item, the furniture and office equipment of the offices used by his mission, together with a statement as to each item or group of items, showing the number, the date of purchase, price, name of person or firm from whom purchased, and a description thereof sufficient to enable the same to be easily identified. The separate pieces of a suit of furniture, when purchased as a suit, need not be severally described; but the number of pieces and a general description, as "oak, covered with green leather," will suffice. All other items must be separately set forth.

**329. Supplementary furniture schedule.**—From time to time, as new purchases are allowed and made, a supplementary schedule covering the same shall be transmitted to the Department of



State to be annexed to the annual schedule. These shall follow the same plan as to number, date of purchase, price, vendor, and description.

**330. Furniture schedules to be certified.—**

The "annual furniture schedule" and all other furniture schedules shall be signed and certified as correct by the person making the same; and when made up by other than the representative in charge of the mission, the signature of the person making the schedule shall be attested by such representative and be by him transmitted to the Department of State to be filed with the schedules hereinbefore referred to (paragraphs 328, 329).

**331. Department's furniture schedule.—**

The Department of State will make up from the records thus received a new schedule in the same form, to be delivered with his commission to each new diplomatic representative appointed to take charge of a mission, setting forth all furniture and equipment shown by said schedules to be in the offices occupied by the mission of which he is given charge; and such new appointee will be expressly required, on arrival at his post, to cause an immediate examination to be made, and to report at once to the Department of State whether all articles contained in the schedule delivered to him have been found, and whether the same are found to be in a condition materially varying from that described in his

schedule, with such explanation as to any discrepancy therein which the person found in charge may desire to be transmitted.

**332. Newspapers.**—Foreign newspapers, not exceeding three in number, are allowed to a mission and are a charge against its allowance for contingent expenses. Subscriptions therefor should be settled quarterly and the account rendered for the quarter corresponding to the subscription. Two newspapers published in the United States may be sent to each mission in the discretion of the Department of State. These may be designated by the chief of the mission on or before the 1st of May in each year for the fiscal year beginning the 1st of July following. A subscription which for any cause may begin at another time shall be fractional only, not extending beyond the 30th of June next following, and express request for its renewal for a subsequent year must be made as above. Correspondence concerning the opening or renewal of subscriptions to these papers must be had with the Department of State, and not with the publishers. In no case shall a diplomatic representative subscribe to any paper published in the United States and send the bill, or direct it to be sent, to the Department of State for payment.

**333. Postage.**—From the nature of the case, no voucher can usually be required for this disburse-

ment beyond the personal explanation of the diplomatic representative. If, however, an account is kept with the local post-office, a voucher should be obtained from the postmaster when practicable. Postage is not to be charged in the account of a diplomatic representative, except on dispatches and letters received and written by him on official business and by reason of his office. (See paragraphs 127, 129.)

**334. Telegrams.**—Telegrams are not regarded as part of the ordinary contingent expenses of a mission (see paragraph 100). An accurate account must be kept of all telegrams charged in the diplomatic representative's accounts, which shall be transmitted at the close of each month to the Department of State (see page 178), at which time the diplomatic representative may draw upon the Secretary of State for the amount paid for telegrams during the month. In verifying official telegrams in the accounts for the same transmitted to the Department of State for approval, it is required that each voucher for telegrams should either be indorsed with a reference to the number and date of the dispatch reporting the telegram or be accompanied with a slip, pinned to it, giving the exact text of the message as sent.

**335. Items for which no allowance will be made.**—No allowance will be made to diplomatic

representatives for expenditures for the following objects: Repairs, donations (except the necessary and customary annual gratuities to foreign official dependents), taxes, carriage hire, contributions to charitable or other objects, foreign flags, traveling expenses (unless authorized), telegrams (except in case of exigency), printed books or maps, advertisements, clerk hire (unless provided for by law or under authority from the Department of State), or for copying or translations (except when made by special order and authority of the Department of State). All such charges, if incurred, will be at the personal expense of the head of the mission. Repairs, however, of the official seal or of furniture and the expense of moving the archives and property on a change of location of the offices of the mission are proper charges against the Government.

#### SEPARATE ACCOUNTS.

336. Besides the general accounts mentioned in paragraph 290, the following separate accounts shall be transmitted in duplicate to the Department of State:

(a) Account for pay of persons employed as interpreters or guards, but not formally commissioned, and other authorized expenses in non-Christian countries.

(b) Account for expenses incurred in the arrest and transportation to the United States of persons charged with crime.

(c) Account for expenses of acknowledging the services of masters and crews of foreign vessels in rescuing American citizens.

(d) Any account specially ordered by the Department of State.

#### VOUCHERS.

**337. Voucher for every disbursement.**—Unless otherwise specially instructed, a proper and satisfactory voucher must be furnished for every disbursement by diplomatic representatives. They should be full, showing exactly what the disbursement was for, and should be numbered and referred to in the corresponding account by number.

**338. Vouchers should be in English language.**—Vouchers should be in the English language, or, if not, they should be accompanied by a careful translation. Vouchers in a foreign language not accompanied by translations will be suspended by the accounting officers.

**339. Vouchers must be original.**—In all cases vouchers must be original. Copies of vouchers will not be audited.

**340. Vouchers to be for actual amount paid.**—When, under authority of law or by direction of the

Secretary of State, a diplomatic representative employs any clerk, dragoman, interpreter, messenger, or like subordinate at the expense of the Government, the vouchers presented with the representative's quarterly accounts must show the amount actually paid to such employees. The same rule applies to all vouchers for money expended for any official purpose whatever; they must represent the amounts actually and necessarily paid for the purposes specified, to the exclusion of any pecuniary or material benefit, directly or indirectly, accruing to the representative making the expenditure and accounting therefor, or to any person other than the one signing the receipt.—*R. S., secs. 3490, 5421, 5438, 5483.*

Any diplomatic representative so charged with the expenditure of an appropriation or an allowance who shall require any clerk or employee to receipt or give a voucher for an amount greater than that actually received by him for the official service he performs is liable to a charge of embezzlement.

**341. Vouchers for unexpended balance at termination of office.**—A diplomatic representative, having resigned or having been recalled and being about to quit his post, should turn over any unexpended balance of the allowance for contingent expenses for the current quarter to his successor,

or, if he quit his post before his successor's arrival, then to the secretary of the mission who is to act as chargé d'affaires ad interim, and take his receipt therefor in duplicate (see paragraph 281). This receipt, with such vouchers as he may have up to the time of his departure, will be his quittance for the amount of the allowance for contingent expenses drawn by him and charged to his debit on the books of the Treasury. His statement of account will be made out up to the day of his taking leave or installing the chargé d'affaires in office.

The chargé d'affaires ad interim shall credit to the United States whatever official sums he may receive from the retiring diplomatic representative and shall duly account therefor, in his own name, with customary vouchers.

#### GENERAL PROVISIONS CONCERNING DRAFTS.

**342. Drafts to be in currency of the United States.**—Drafts of diplomatic officers must not be made for foreign moneys of account, but for the equivalent value in the currency of the United States. In estimating the relative value of the foreign currency in which they may receive the proceeds of their drafts, they will adopt the values of foreign moneys as in the table of equivalents issued quarterly by the Treasury Department.

**343. Drafts for salary.**—In their drafts for salary, diplomatic officers will be careful not to exceed in the amount drawn\*the sum to which they may be entitled in account with the United States at the date of the draft.

**344. Drafts for contingent expenses.**—Diplomatic representatives will be permitted to draw for the amount allowed to their respective missions for contingent expenses and for rent at the beginning of a quarter or from time to time during the quarter, as may be necessary; provided that drafts therefor shall in no case be drawn in excess of the proportion of the whole amount allowed to the part of the year which will at the close of such quarter have expired. All amounts drawn and all expenditures made must be accounted for at the end of each quarter. For expenses incurred for telegrams, drafts will be made upon the Secretary of State as hereinbefore prescribed (paragraph 334).

**345. When a chargé d'affaires ad interim may draw allowance for contingent expenses.**—If there should be any prospect of the interval between the retirement of a diplomatic representative and the arrival of his successor being prolonged, and the mission is in the hands of the secretary as chargé d'affaires ad interim, the Department of State, on due request being made to it, will authorize the chargé d'affaires to draw for the allowance



for contingent expenses of the mission by authorizing its bankers at London to honor his drafts for the allowance for contingent expenses until the arrival of the new diplomatic representative. In such case the chargé d'affaires ad interim becomes responsible and shall render account in like manner as a diplomatic representative. (See paragraph 323.)

**346. Drafts, how and on whom drawn.**—Drafts for salary or for contingent expenses will be drawn as follows :

(a) The chief diplomatic representatives of the United States at Buenos Ayres, Vienna, Brussels, La Paz, Rio de Janeiro, Peking, Santiago, Copenhagen, Paris, Berlin, London, Athens, Rome, Tokyo, The Hague, Teheran, Lisbon, St. Petersburg, Madrid, Stockholm, Berne, and Constantinople draw upon the bankers of the Department of State in London, upon being furnished by the Department with proper letters of credit therefor. All other diplomatic representatives draw upon the Secretary of State for salary and for allowances for contingent expenses.

(b) The secretaries of embassy and legation at Berlin, London, Paris, Peking, Rio de Janeiro, Vienna, St. Petersburg, Tokyo, Buenos Ayres, Rome, Constantinople, and Madrid receive letters of credit on the bankers of the United States in London, author-

izing them to pay their drafts for salary as it becomes due.

(c) The secretaries of legation at the City of Mexico, Santiago, Seoul, Monrovia, Managua, Caracas, and Lima draw for salary directly upon the Secretary of State.

**347. Drafts to be drawn at fifteen days' sight.**—All drafts drawn by diplomatic officers, whether on the Secretary of State or, in the case of those holding consular office also, on the Secretary of the Treasury, must be drawn at fifteen days' sight, acceptance waived, in order to give sufficient time to the accounting officers to adjust the accounts before the day of payment. Drafts for disbursements made for objects not expressly authorized by law nor by instructions must not be drawn until notice is received from the Department of State that the accounts and vouchers have been examined and approved.

**348. Drafts to designate accounts on which drawn.**—Every draft must designate the account on which it is made and the period covered by it. No draft should be drawn for salary and for contingent expenses jointly, and care should be especially taken that no draft covers any period of time embraced in more than one fiscal quarter.

**349. Drafts for expenses authorized by special instructions.**—Every draft for expenses author-

ized by special instructions should refer explicitly to the date and number of the instruction in which such authority was given. The same reference should appear in the account rendered in connection therewith.

**350. Sterling drafts.**—All sterling drafts must be at the rate of  $\$4.86\frac{65}{100}$  to the pound sterling (*R. S., sec. 3565*). Convenient tables for reducing pounds sterling to dollars and vice versa at this rate will be found in the Consular Regulations of 1896 (Forms Nos. 149, 161, and 162).

**351. Blanks to be filled up by drawer and sealed.**—Whenever a draft is drawn by a diplomatic officer, the blanks in the engraved forms furnished by the Department of State should be filled up by the drawer in his own handwriting; and, for still further protection against forgery or the payment of fraudulent drafts, the draft should be sealed with the seal of the mission.

**352. Sale of drafts.**—In disposing of their drafts, diplomatic officers are expected to use their best discretion to negotiate them at the most favorable rates.

**353. Loss by exchange.**—Diplomatic officers who desire that the losses by exchange actually and necessarily sustained in the negotiation or sale of their drafts shall be allowed at the Treasury Department are instructed that hereafter, in making

up their accounts, they will be required to present a voucher in accordance with the prescribed form (see page 157), exhibiting—

(a) Date of the draft.

(b) Amount of the draft in the currency of the United States.

(c) Gross amount of the draft in foreign currency.

(d) Rate of exchange.

(e) Loss on the sale of the draft.

(f) Net proceeds in foreign currency.

(g) Net proceeds in the currency of the United States.

(h) Upon whom and on what account drawn.

**354. Gain by exchange.**—A gain by exchange in the sale of a diplomatic officer's drafts should be credited to the Government in the statement of account and should be shown by a voucher in the form prescribed in paragraph 353.

**355. Indorsements by procuration.**—The accounting officers of the United States, who are required to see that no person receives money from the Treasury but by lawful title, can not recognize indorsements by procuration, unless on satisfactory proof of their sufficiency. To prevent the dishonor of such bills or drafts, it may be well for diplomatic officers to observe the form prescribed (see page 169) with a view to overcome this difficulty.

**356. Accounts must precede or accompany drafts.**—Diplomatic officers are explicitly informed that drafts, except for current salary, are not paid until the accounts and vouchers for which they are drawn have been received, examined, and approved. In order to secure payment, as well as to prevent embarrassment and delay to holders, it is necessary that the accounts should be sent so as either to precede the arrival of, or be received at the same time with, the drafts.

**357. Letter of advice.**—In the case of all drafts, and especially of drafts for salary, drawn upon the Secretary of State in pursuance of these Instructions, a letter of advice should invariably be addressed to the Department of State by the diplomatic officer, in which the date, amount, and particulars of the draft are stated in detail.

#### DEPOSIT OF PUBLIC MONEYS.

**358. Where to be deposited.**—No authority can be given to a diplomatic representative under which he can be relieved of his liability for public moneys in his possession deposited by him with banks or bankers other than the designated bankers of the United States, and in the latter case the deposits must be made to the credit of the Government.

**359. All personal deposits at representative's own risk.**—All personal deposits made by a diplo-

matic representative otherwise than as provided in paragraph 358 are at his own risk; and, in the event of loss by failure or otherwise of the banks or bankers, the Department of State is without power to relieve him from the necessity of making good the amount. Relief can be obtained only by act of Congress.

#### DIPLOMATIC OFFICERS DYING ABROAD.

**360. Funeral expenses not paid.**—There is no authority of law for incurring expense for the obsequies of a diplomatic officer dying at his post or for any compensation, reimbursement, or allowance whatever to his representatives, except as provided in paragraph 321, unless Congress should make specific appropriation in the case.

**361. Transporting remains.**—The act of February 26, 1883, and subsequent acts make provision for transporting the remains of diplomatic and consular officers of the United States, including consular clerks, to their homes for interment, where such officers have died or may die abroad while in the discharge of their duties.

## Appendix.





Forms to be Employed in the Transaction of the  
Business of Diplomatic Officers.

FORM NO. 1.

*Oath of allegiance and office.*

I, \_\_\_\_\_, of \_\_\_\_\_, appointed \_\_\_\_\_ of the United States at \_\_\_\_\_, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.

Sworn and subscribed before me, a \_\_\_\_\_ in and for the \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 18 \_\_\_\_\_.

FORM NO. 36.

*Certificate to be attached to documentary evidence accompanying requisitions in the United States for extradition.*

\_\_\_\_\_ OF THE UNITED STATES,  
\_\_\_\_\_, \_\_\_\_\_, 18 \_\_\_\_\_.

I, \_\_\_\_\_, \_\_\_\_\_ of the United States at \_\_\_\_\_, hereby certify that the annexed papers, being [here state what the papers are], proposed to be used upon an application for the

extradition from the United States of ———, charged with the crime of ———, alleged to have been committed in ———, are properly and legally authenticated so as to entitle them to be received in evidence for similar purposes by the tribunals of ———, as required by the act of Congress of August 3, 1882.

In witness whereof I hereunto sign my name and cause the seal of the ——— to be affixed this — day of ———, 18 .

—————,  
 ——— of the United States.

FORM NO. 88.

*Form for authentication of signatures.*

———— OF THE UNITED STATES OF AMERICA,  
 ———, ———, 18

I, ———, secretary of the ——— of the United States at ———, do hereby certify that the signature of ———, at the foot of the paper hereto annexed, is his true and genuine signature, made and acknowledged in my presence, and that the said ——— is known by me to be the person he claims to be.

In witness whereof I have hereunto set my hand and affixed the seal of the ——— of the United States at ———, the day and year next above written, and of the Independence of the United States the ———.

[SEAL.]

—————,  
 U. S. Secretary of ———.

FORM NO. 92.

*Exchange voucher.*

Date of draft.	Amount of draft in United States currency.	Gross amount of draft in for- eign currency.	Rate of ex- change	Loss on sale of draft.	Net proceeds in foreign cur- rency.	Net proceeds in United States currency.	Upon whom and on what account drawn.

We jointly certify that the above-described draft was sold and purchased at the rate given in the above abstract.

\_\_\_\_\_, 18\_\_.

\_\_\_\_\_,  
United States Minister.

\_\_\_\_\_,  
Bankers.

## FORM NO. 118.

Register of official letters received at the ——— of the United States at ———.

Name of writer.	No.	Place and date of letter.	When received.	On what subject.	Number of inclosures.	Amount of postage paid on each letter.	Remarks.

## FORM NO. 119.

Register of official letters sent from the ——— of the United States at ———.

Date.	No.	To whom and to what place sent.	On what subject.	Number of inclosures.	Amount of postage paid on each letter.

## FORM NO. 121.

*Statement of passports issued*

At the ——— of the United States at ———, from ———, 18 ,  
to ———, 18 .

[To accompany dispatch No. ———, of ———, 18 .]

Date.	To whom issued.	Number.	Evidence on which issued.	Fee.

## FORM NO. 122.

*Abstract of passports visaed*

At the ——— of the United States at ——— for the quarter  
ending ———, 18

No.	When issued.	To whom issued.	By whom issued.	Form of passport.	Date of visa.	Prior visas.	Further explanations.

FORM No. 125.

*Salary account of minister resident and consul-general.*

The Government of the United States in account with \_\_\_\_\_, Minister Resident and Consul-General  
to \_\_\_\_\_.

DR.

CR.

\$		\$
To balance from last account to _____, 18 .....	By balance due from me as per last account to _____, 189 .....	
To amount of my salary from _____, 18 , to _____, 18 , inclusive, at the rate of _____ per annum .....	By my drafts on the Secretary of State, as follows: One dated _____, 18 .....	
	One dated _____, 18 .....	
	One dated _____, 18 .....	
	By fees applied, other than passport fees.....	
Balance due from me to the United States.....	Balance due me from the United States.....	

I certify that I have not been absent from my post during the period embraced in this account.

\_\_\_\_\_,  
*U. S. Minister Resident and Consul-General.*

LEGATION AND CONSULATE-GENERAL OF THE UNITED STATES,

At \_\_\_\_\_,  
\_\_\_\_\_, 18 .

## FORM No. 132.

*Passport book.*

No.	Date.	Name.	Last residence.	Place of birth.	Profession.	Evidence upon which the passport is granted.	Place for which a visa is given.	Description.	Signature of the person to whom the passport is granted.	Remarks.
								Age, Stature, Forehead, Eyes, Nose, Mouth, Chin, Hair, Complexion,		

## FORM No. 176.

*Form of application for passport.*

[Edition of 1889.]

Fee for passport..... \$1.00  
 Fee for filling out application in duplicate..... .50  
 Fee for administering oath in duplicate..... .50

## NATIVE.

No. \_\_\_\_\_.

Issued \_\_\_\_\_, 18 .

I, \_\_\_\_\_, a native and loyal citizen of the United States, hereby apply to the \_\_\_\_\_ of the United States at \_\_\_\_\_ for a passport for myself, accompanied by my wife \_\_\_\_\_, and minor children as follows: \_\_\_\_\_, born at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 18 , and \_\_\_\_\_.

I solemnly swear that I was born at \_\_\_\_\_, in the State of \_\_\_\_\_, on or about the \_\_\_\_\_ day of \_\_\_\_\_, 18 ; that my father is a \_\_\_\_\_ citizen of the United States; that I am domiciled in the United States, my permanent residence being at \_\_\_\_\_, in the State of \_\_\_\_\_, where I follow the occupation of \_\_\_\_\_; that I left the United States on the \_\_\_\_\_ day of \_\_\_\_\_, 18 , and am now temporarily sojourning at \_\_\_\_\_; that I am

D. I. — II.

the bearer of passport No. —, issued by — on the — day of —, 18 ; that I intend to return to the United States within — with the purpose of residing and performing the duties of citizenship therein ; and that I desire the passport for the purpose of —.

## OATH OF ALLEGIANCE.

Further, I do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic ; that I will bear true faith and allegiance to the same ; and that I take this obligation freely, without any mental reservation or purpose of evasion : So help me God.

— of the United States at —.

Sworn to before me, this — day of —, 18 .

## DESCRIPTION OF APPLICANT.

Age: — years.

Mouth: —.

Stature: — feet — inches, Eng.

Chin: —.

Forehead: —.

Hair: —.

Eyes: —.

Complexion: —.

Nose: —.

Face: —.

## IDENTIFICATION.

—, —, 18 .

I hereby certify that I know the above-named — personally, and know h— to be a native-born citizen of the United States, and that the facts stated in h— affidavit are true to the best of my knowledge and belief.

—,  
[Address of witness.] —.

NOTE.—This form is to be filled out in duplicate, one copy being retained on the files of the mission and the other forwarded with the quarterly returns to the Department of State. It may be so filled out by the applicant, in which case no fee therefor is chargeable.



FORM NO. 177.

*Form of application for passport.*

[Edition of 1889.]

Fee for passport.....	\$1.00
Fee for filling out application in duplicate.....	.50
Fee for administering oath in duplicate.....	.50

## NATURALIZED.

No. \_\_\_\_\_.

Issued \_\_\_\_\_, 18 .

I, \_\_\_\_\_, a naturalized and loyal citizen of the United States, hereby apply to the \_\_\_\_\_ of the United States at \_\_\_\_\_ for a passport for myself, accompanied by my wife \_\_\_\_\_, and minor children, as follows: \_\_\_\_\_, born at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 18 ; and \_\_\_\_\_.

I solemnly swear that I was born at \_\_\_\_\_ on or about the \_\_\_\_\_ day of \_\_\_\_\_, 18 ; that I emigrated to the United States, sailing on board the \_\_\_\_\_, from \_\_\_\_\_, on or about the \_\_\_\_\_ day of \_\_\_\_\_, 18 ; that I resided \_\_\_\_\_ years, uninterruptedly, in the United States, from \_\_\_\_\_ to \_\_\_\_\_, at \_\_\_\_\_; that I was naturalized as a citizen of the United States before the \_\_\_\_\_ court of \_\_\_\_\_ at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 18 , as shown by the accompanying certificate of naturalization; that I am the bearer of passport No. \_\_\_\_\_, issued by \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 18 , which is returned herewith; that I am the identical person referred to in said certificate and passport; that I am domiciled in the United States, my permanent residence therein being at \_\_\_\_\_, in the State of \_\_\_\_\_, where I follow the occupation of \_\_\_\_\_; that I last left the United States on the \_\_\_\_\_ day of \_\_\_\_\_, 18 , on board the \_\_\_\_\_, arriving in \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 18 ; that I have resided in \_\_\_\_\_ since the \_\_\_\_\_ day of \_\_\_\_\_, 18 ; that I am now temporarily residing at \_\_\_\_\_, and that I intend to return to the United States within \_\_\_\_\_

with a purpose of residing and performing the duties of citizenship therein.

I desire the passport for the purpose of \_\_\_\_\_.

#### OATH OF ALLEGIANCE.

Further, I do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I take this obligation freely, without any mental reservation or purpose of evasion: So help me God.

\_\_\_\_\_ of the United States at \_\_\_\_\_.

Sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_.

#### DESCRIPTION OF APPLICANT.

Age: \_\_\_\_\_ years.

Stature: \_\_\_\_\_ feet \_\_\_\_\_ inches, Eng.

Forehead: \_\_\_\_\_.

Eyes: \_\_\_\_\_.

Nose: \_\_\_\_\_.

Mouth: \_\_\_\_\_.

Chin: \_\_\_\_\_.

Hair: \_\_\_\_\_.

Complexion: \_\_\_\_\_.

Face: \_\_\_\_\_.

#### IDENTIFICATION.

\_\_\_\_\_, \_\_\_\_\_, 18 \_\_\_\_\_.

I hereby certify that I know the above-named \_\_\_\_\_ personally, and know h— to be the identical person referred to in the within-described certificate of naturalization, and that the facts stated in h— affidavit are true to the best of my knowledge and belief.

\_\_\_\_\_, \_\_\_\_\_,  
[Address of witness.] \_\_\_\_\_.

NOTE —This form is to be filled out in duplicate, one copy being retained on the files of the mission and the other forwarded with the quarterly returns to the Department of State. It may be so filled out by the applicant, in which case no fee therefor is chargeable.

## FORM NO. 178.

*Form of application for passport.*

[Edition of 1889.]

Fee for passport.....	\$1.00
Fee for filling out application in duplicate.....	.50
Fee for administering oath in duplicate.....	.50

## PERSON CLAIMING CITIZENSHIP THROUGH NATURALIZATION OF HUSBAND OR PARENT.

No. ———. Issued ———, 18 —.

I, ——— ———, a naturalized and loyal citizen of the United States, hereby apply to the ——— of the United States at ——— for a passport for myself, accompanied by my wife, ——— ———, and minor children, as follows: ———, born at ———, on the ——— day of ———, 18 —; and ———.

I solemnly swear that I was born at ——— on or about the ——— day of ———, 18 —; that my ——— emigrated to the United States, sailing on board the ———, from ———, on or about the ——— day of ———, 18 —; that he resided ——— years, uninterruptedly, in the United States, from ——— to ———, at ———; that he was naturalized as a citizen of the United States before the ——— court of ———, at ———, on the ——— day of ———, 18 —, as shown by the accompanying certificate of naturalization; that I am the ——— of the person described in said certificate; that I am the bearer of passport No. ———, issued by ——— ——— on the ——— day of ———, 18 —, which is returned herewith; that I am the identical person referred to in said passport; that I have resided in the United States, uninterruptedly, for ——— years, from ——— to ———, at ———; that I am domiciled in the United States, my permanent residence being at ———, in the State of ———, where I follow the occupation of ———; that I last left the United States on the ——— day of ———, 18 —, on board the ———, arriving in ——— the ——— day of ———, 18 —; that I have

resided in \_\_\_\_\_ since the \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_; that I am now temporarily residing at \_\_\_\_\_; and that I intend to return to the United States within \_\_\_\_\_ with a purpose of residing and performing the duties of citizenship therein.

I desire the passport for the purpose of \_\_\_\_\_.

#### OATH OF ALLEGIANCE.

Further, I do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I take this obligation freely, without any mental reservation or purpose of evasion: So help me God.

\_\_\_\_\_ of the United States at \_\_\_\_\_.

Sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_.

#### DESCRIPTION OF APPLICANT.

Age: _____ years.	Mouth: _____.
Stature: _____ feet _____ inches, Eng.	Chin: _____.
Forehead: _____.	Hair: _____.
Eyes: _____.	Complexion: _____.
Nose: _____.	Face: _____.

#### IDENTIFICATION.

\_\_\_\_\_, \_\_\_\_\_, 18\_\_\_\_.

I hereby certify that I know the above-named \_\_\_\_\_ personally, and know h— to be the \_\_\_\_\_ of the person referred to in the within-described certificate of naturalization, and that the facts stated in h— affidavit are true to the best of my knowledge and belief.

\_\_\_\_\_, \_\_\_\_\_,  
[Address of witness.] \_\_\_\_\_.

NOTE.—This form is to be filled out in duplicate, one copy being retained on the files of the mission and the other forwarded with the quarterly returns to the Department of State. It may be so filled out by the applicant, in which case no fee therefor is chargeable.

FORM NO. 179.

*Certificate of deposit of passport and registry of a citizen of the  
United States.*

\_\_\_\_\_ OF THE UNITED STATES OF AMERICA,

At \_\_\_\_\_, \_\_\_\_\_, 18\_\_.

Age, \_\_\_\_\_.

Height, \_\_\_\_\_.

Forehead, \_\_\_\_\_.

Eyes, \_\_\_\_\_.

Nose, \_\_\_\_\_.

Mouth, \_\_\_\_\_.

Chin, \_\_\_\_\_.

Hair, \_\_\_\_\_.

Complexion, \_\_\_\_\_.

Face, \_\_\_\_\_.

The undersigned, \_\_\_\_\_ of the United States of America, certifies that \_\_\_\_\_, a citizen of the United States of America, is registered in this \_\_\_\_\_, and is the bearer of passport No. \_\_\_\_\_, signed by \_\_\_\_\_.

No. \_\_\_\_\_.

Signature of the bearer,

\_\_\_\_\_.

FORM NO. 180.

*Form of certificate to be attached to a passport application when a notary public or other officer authorized to administer oaths is not accessible to the applicant.*

I, the undersigned, do hereby certify and affirm that the matters stated in my application for a passport of date \_\_\_\_\_, 18\_\_, are true; and I do hereby consent that this statement shall, in all respects, be held and treated as if I had personally executed such application before a consul of the United States.

\_\_\_\_\_.

Witness:

\_\_\_\_\_.

\_\_\_\_\_.

## FORM NO. 181.

*Form of travel certificate to be issued to the possessor of a passport.*

No. —.

I, ———, consul of the United States of America at ———, having received an application from ———, a citizen of the United States, for a passport to travel in the province of ———, have, under the provisions of the Tientsin treaty, issued this pass, and have to request that the Chinese authorities, civil and military, on examining it, will allow Mr. ——— safely and freely to pass, and, in case of need, to give him all lawful aid and protection.

Given under my hand and the impression of the seal of the consulate of the United States at ———, this — day of ———, 18 .

Good for one year.

[SEAL.]

—————,   
 U. S. Consul.

## FORM NO. 182.

*Form of travel certificate to be issued to an applicant for a passport.*

No. —.

I, ———, consul of the United States of America at ———, having received an application from ———, a citizen of the United States, for a passport to travel from ———, by way of ———, to ——— [and return], have, under the provisions of the Tientsin treaty, issued this pass, and have to request that the Chinese authorities, civil and military, on examining it, will allow Mr. ——— safely and freely to pass, and, in case of need, to give him all lawful aid and protection.

Given under my hand and the impression of the seal of the consulate of the United States at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 18\_\_.

Good only for one journey, and not longer than one year.

[SEAL.]

\_\_\_\_\_,  
U. S. Consul.

FORM NO. 188.

*Form of draft for embassies.*

\$\_\_\_\_\_. No. \_\_\_\_\_.

EMBASSY OF THE UNITED STATES OF AMERICA,

At \_\_\_\_\_, \_\_\_\_\_ 18\_\_.

\_\_\_\_\_ days after sight (acceptance waived and indorsements by procuration excepted) pay to the order of \_\_\_\_\_, \_\_\_\_\_ dollars, value received, and charge the same to account for \_\_\_\_\_.

To the Secretary of State of the United States,

Washington, D. C.

FORM NO. 189.

*Form of draft for legations.*

\$\_\_\_\_\_. No. \_\_\_\_\_.

LEGATION OF THE UNITED STATES OF AMERICA,

At \_\_\_\_\_, \_\_\_\_\_ 18\_\_.

\_\_\_\_\_ days after sight (acceptance waived and indorsements by procuration excepted), pay to the order of \_\_\_\_\_, \_\_\_\_\_ dollars, value received, and charge the same to account for \_\_\_\_\_.

To the Secretary of State of the United States,

Washington, D. C.

FORM NO. 190.

*Form of dispatch.*

[First page of dispatch.]

No. 136.

LEGATION OF THE UNITED STATES,  
———, *November 12, 1873.*

Mr. John Doe to the Secretary of State.

Subject:

Loss of the ship "Wave" owing to a failure to obtain a pilot.

Synopsis:

Inclosing reply of minister for foreign affairs, stating that captain did little to save the vessel; that he was hospitably received; and that the health officer was not in fault. Mr. Doe thinks, if further investigation is deemed necessary, counsel should be employed. Will await instructions.



[Third page of dispatch.]

No. 136.

LEGATION OF THE UNITED STATES,  
———, *November 12, 1873.*

To the Honorable ————,  
Secretary of State,  
Washington, D. C.

<sup>1</sup> Sir:

<sup>136</sup> I have the honor to inclose herewith a copy of the reply of  
<sup>2</sup> the minister for foreign affairs to a note respecting the loss of the  
<sup>136</sup> ship "Wave" at ———; I also append a translation of the same  
and a copy of a dispatch from the consul at that place on the  
<sup>3</sup> same subject.

<sup>136</sup> The reply of the minister, it will be observed, takes no notice  
of the evidence submitted on the part of Captain Blank; nor  
does it detail that upon the other side, upon which the conclu-  
sions of the ministry of the interior are founded.

So far as the conduct of the health officers is concerned, it  
seems highly probable that the difficulty arose from a misunder-  
standing between them and Captain Blank. It certainly appears  
singular that there should be no person in the service of the  
health officer capable of speaking a language commercially so  
important as English.

I had expected a somewhat different reply, having been led  
by the consul's letter of November 2 to suppose the health  
officer's action in the case had been disapproved by the local  
authorities. It is evident that the consul was misinformed on  
that point.

If further investigation is deemed necessary, I think it should  
be through counsel. This would be a very expensive proceed-

ing, and I do not think myself authorized to resort to it without special instructions to that effect.

I have the honor to be, sir,

Your obedient servant,

JOHN DOE.

List of inclosures.

1. Count ——— to Mr. Doe, November 11, 1873.\*
2. Translation of the above.
3. Consul Roe to Mr. Doe, November 2, 1873.

---

\* It is not deemed necessary in this instruction to print the note in the original language. It is expected, however, that diplomatic representatives will in all cases send to the Department of State a copy of the original as well as the translation.

[Inclosure 2 in No. 136.—Translation.]

*Count ——— to Mr. Doe.*

MINISTRY OF FOREIGN AFFAIRS,

———, *November 11, 1873.*

Sir:

The minister of the interior, to whom I hastened to communicate the document that you favored me with in your note of the 11th of September, has caused an investigation to be made into the charges brought by Captain Blank, of the brig "Wave," against the health officer of the port.

It results from this that all the crew of said vessel were admitted in free pratique on their landing, and every necessary assistance was lent them by the commissioner. The captain and his family were received in the commissioner's house and afterward passed the night in that of the captain of the sanitary guard. It is this act of charity that Captain Blank has endeavored to denounce as a detention imposed upon him. He was always left free to go to the city or to the ship. This liberty was made use of by the sailors, who went on board the ship the same evening in order to take away their effects. It appears, besides, that Captain Blank showed little inclination to do anything, and only on the following morning commenced to interest himself in saving the ship and cargo.

From this it is conclusive that no fault can be found with the health officer, there being no ground for anything charged against him by Captain Blank.

In communicating the result of this investigation, in reply to your note on the subject, I have the honor to renew to you, Mr. Minister, the assurance of my high consideration.

(Signature.)

His Excellency

JOHN DOE,

*E. E. and M. P. of the United States.*

[Inclosure 3 in No. 136.]

*Mr. Roe to Mr. Doe.*

UNITED STATES CONSULATE,

—, *November 2, 1873.*

Sir:

I am in receipt of your dispatch of the 29th ultimo, with its inclosure, relating to the ship "Wave."

Referring to the same, I may say that the crew of the "Wave" were set at liberty after complying with certain formalities at the health office, while the captain was detained, and, as he states, against his will. This to me is the most unaccountable feature of the whole proceeding, with regard to which I have failed to obtain any satisfaction, though I at once addressed a communication to the prefect and the captain of the port, giving a detailed statement of the case.

I understand that the captain of the vessel knew nothing of the release of the crew from the lazaretto until after they were gone, which will probably account for his having failed to send a message by one of their number to the consul or the captain of the port. One of the seamen, as already stated, spoke a little French; but after he left, the captain, in the absence of an interpreter, to which he was entitled, was unable to communicate with anyone. I am not surprised that the statements as to time are somewhat vague, considering the circumstances. With regard, however, to the time when the captain of the port arrived at the scene of the disaster, he himself informed me that it was about 11 o'clock, the delay being occasioned by the fact that it was necessary to wait until one of the steam tugs should get up steam.

I learn from the captain of the port that the investigation of the case has been concluded and a copy of the proceedings sent to the minister of marine. I also understand that, while it

severely censures the conduct of the health officer, it also attaches some blame to the captain of the vessel, on the ground that he declined the services of some boatmen who offered to move his vessel for the sum of three pounds sterling. I may state on behalf of the captain that this was before he realized that his vessel was in danger and while he was waiting for a pilot and tugboat.

The agent of the insurance companies informed me that he has reported the case to the underwriters and referred them to my official report to the Secretary of State, but that up to the present time he has received no instructions as to what course he is to pursue.

I have the honor to remain, sir,

Your obedient servant,

RICHARD ROE,

*United States Consul.*

To the Hon. JOHN DOE,

*E. E. and M. P. of the United States, at ———.*

FORM No. 191.

## Salary account.

DR. The Government of the United States in account with \_\_\_\_\_, Minister to \_\_\_\_\_, CR.

	Dollars.	Cts.	Dollars.	Cts.
To balance from last account to _____, 18 .....			By balance due from me, as per last account, to _____, 18 .....	
To amount of my salary from _____, 18 , to _____, 18 , inclusive, at the rate of _____ per annum.....			By my drafts on _____, bankers for the Department of State, London, as follows: One dated _____, 18 ..... One dated _____, 18 ..... One dated _____, 18 .....	
Balance due from me to the United States.			Balance due me from the United States..	

LEGATION OF THE UNITED STATES,

At \_\_\_\_\_,

\_\_\_\_\_, 18 .

I certify that I have not been absent from my post during the period embraced in this account.

\_\_\_\_\_,  
United States Minister.

FORM No. 192.

*Salary account.*

D. 1. Dr. The Government of the United States in account with \_\_\_\_\_, Minister to \_\_\_\_\_, CR.

	Dollars.	Cts.	Dollars.	Cts.
To balance from last account to _____, 18 .....			By balance due from me, as per last account, to _____, 18 .....	
To amount of my salary from _____, 18, to _____, 18, inclusive, at the rate of _____ per annum.....			By my drafts on the Secretary of State, as follows: One dated _____, 18 .....	
			One dated _____, 18 .....	
			One dated _____, 18 .....	
Balance due from me to the United States.			Balance due me from the United States..	

LEGATION OF THE UNITED STATES,

At \_\_\_\_\_,

\_\_\_\_\_, 18 .

I certify that I have not been absent from my post during the period embraced in this account.

\_\_\_\_\_,  
*United States Minister.*

D. 1. — 12.

FORM NO. 193.

*Account for telegrams.*

DR. The Government of the United States in account with \_\_\_\_\_, Minister to \_\_\_\_\_ CR.

	Dollars.	Cts.		Dollars.	Cts.
To amount expended by me for official telegrams from _____, 18 , to _____, 18 , as per vouchers here-with .....			By my drafts on the Secretary of State dated _____, 18 , for .....		

LEGATION OF THE UNITED STATES,

At \_\_\_\_\_, \_\_\_\_\_, 18

\_\_\_\_\_,  
*United States Minister.*



FORM No. 194.

*Account for loss by exchange.*

DR. The Government of the United States in account with \_\_\_\_\_, Minister to \_\_\_\_\_ CR.

	Dollars.	Cts.	Dollars.	Cts.
<p>To loss by exchange:</p> <p>For amount of loss by exchange on my draft—</p> <p>Dated _____, 18 .....</p> <p>Dated _____, 18 .....</p> <p>Dated _____, 18 .....</p> <p>As per vouchers herewith.</p>			<p>By my drafts on the Secretary of State, dated _____, 18 .....</p>	

LEGATION OF THE UNITED STATES,

At \_\_\_\_\_, 18 .

\_\_\_\_\_,  
United States Minister.

FORM No. 195.

*Account for contingent expenses.*

DR. The Government of the United States in account with \_\_\_\_\_, Minister to \_\_\_\_\_, CR.

	Dollars.	Cts.	Dollars.	Cts.
To balance from last account to _____, 18 .....			By balance due from me, as per last account, to _____, 18 .....	
To contingent expenses of the legation at _____: For amount expended by me for contingencies from _____, 18, to _____ 18, as per abstract and voucher herewith..			By my drafts on the Secretary of State: One dated _____, 18 .....	
			One dated _____, 18 .....	
			By this amount received for passports from _____, 18, to _____, 18, and credited under instructions in this account.....	
Balance due from me to the United States.			Balance due me from the United States..	

LEGATION OF THE UNITED STATES,

At \_\_\_\_\_, \_\_\_\_\_, 18 .

\_\_\_\_\_,  
*United States Minister.*

FORM NO. 196.

*Form of passport to be issued at embassies.*

Good only for two years from date.

EMBASSY OF THE UNITED STATES OF AMERICA

AT \_\_\_\_\_.

To all to whom these presents shall come, Greeting:

## DESCRIPTION. .

Age, \_\_\_\_\_ years.

Stature, — feet — inches, Eng.

Forehead, \_\_\_\_\_.

Eyes, \_\_\_\_\_.

Nose, \_\_\_\_\_.

Mouth, \_\_\_\_\_.

Chin, \_\_\_\_\_.

Hair, \_\_\_\_\_.

Complexion, \_\_\_\_\_.

Face, \_\_\_\_\_.

Signature of the bearer,

\_\_\_\_\_.

I, the undersigned, \_\_\_\_\_ of the United States of America, hereby request all whom it may concern to permit \_\_\_\_\_, a citizen of the United States \_\_\_\_\_ safely and freely to pass, and, in case of need, to give \_\_\_\_\_ all lawful aid and protection.

Given under my hand and the seal of the embassy of the United States at \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord 18\_\_\_\_, and of the Independence of the United States the one hundred \_\_\_\_\_.

\_\_\_\_\_.

No. \_\_\_\_\_.

FORM NO. 197.

*Form of passport to be issued at legations.*

Good only for two years from date.

LEGATION OF THE UNITED STATES OF AMERICA

AT ———.

To all to whom these presents shall come, Greeting:

## DESCRIPTION.

Age, ——— years.

Stature, — feet — inches, Eng.

Forehead, ———.

Eyes, ———.

Nose, ———.

Mouth, ———.

Chin, ———.

Hair, ———.

Complexion, ———.

Face, ———.

Signature of the bearer,

——— ———.

I, the undersigned, ——— of the United States of America, hereby request all whom it may concern to permit ——— ———, a citizen of the United States ——— safely and freely to pass, and, in case of need, to give ——— all lawful aid and protection.

Given under my hand and the seal of the legation of the United States at ———, the ——— day of ———, in the year 18 —, and of the Independence of the United States the one hundred ———.

——— ———.

No. ———.

FORM NO. 198.

*Abstract of contingent expenses*

Of \_\_\_\_\_, United States Minister at \_\_\_\_\_, from \_\_\_\_\_,  
18 , to \_\_\_\_\_, 18 .

	Voucher	Dollars.	Cents.

LEGATION OF THE UNITED STATES,

At \_\_\_\_\_.

\_\_\_\_\_,  
United States Minister.

FORM NO. 199.

*Requisition for stationery supplies for embassies and legations.*

\_\_\_\_\_ OF THE UNITED STATES,

To \_\_\_\_\_, \_\_\_\_\_, 18 .

*Secretary of State, Washington, D. C.*

SIR: I have the honor to request that the articles of stationery named below be furnished for use at this office.

I have the honor to be, sir, your obedient servant,

\_\_\_\_\_,  
\_\_\_\_\_.

Number of item on schedule.	Quantities.*	Articles. (Put but one item on a line.)	Quantity rec- ommended by Chief of Diplo- matic Bureau.

\*Quantities desired should be expressed in figures, and if less than an original package is required, the quantity should be stated in proper terms, *i. e.*,  $\frac{1}{2}$  rm.,  $\frac{1}{4}$  M.,  $\frac{1}{16}$  gr.,  $\frac{1}{3}$  doz.,  $\frac{1}{2}$  lb., etc.



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